Cuf.

41

DEPT. OF STATE
SEP -1, 4 30 PM 1897
CHF. CLKS. OFFICE
RECEIVED

TELEGRAM RECEIVED.

3rd. ASST. SECRETARY. SEP 2 1897

70 Paris Sept. 2. 1897

From Havana

Sept 1, 1897

Received 3.51 P M.

Asst Secy State,

Washn D.C.

Confirmed SEP 3 1897

No newspaper correspondent has desk in this Consulate or services of a Consular Clerk during office hours and no local paper has commented on same as per statement New York Herald Sunday last Just seen

Lee

Copy.

No. 6 3 9.

RECEIVED. SEP 9 1897 BUR. ACCOUNTS. DEP. OF STATE.

U. S. CONSULATE GENERAL.

HABANA, September 3.1897.

Mr. LEE

INDEX BUREAU REC'D. SEP 7 1897 DEPT OF STATE

to the

Department of State.

Sec'k. Sept. 10, 1897

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Advising the Department of having drawn on the Hon: Secretary of State for $1,500.- for salary and expenses for current Qr.

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No.639.

U. S. CONSULATE GENERAL.

HABANA, September 3.1897.

Honorable William R. Day,

Assistant Secretary of State,

Washington.

Sir:-

On account of the considerable falling off in the receipt of official fees at this consulate general, I have been obliged to draw for funds to provide for payment of salary and expenses of this current quarter.

I have therefore to advise the Department that I have, under this date, drawn at 15 days, acceptance waived, upon the Hon: Secretary of State, in favor of Messrs. Hidalgo and Co. of this city, for the sum of $1,500.00.

I am, Sir,

Your obedient servant,

Fitzhugh Lee

Consul General.

FILE

No. 6 4 0.

U. S. CONSULATE GENERAL.

INDEX BUREAU
REC'D
SEP 7 1897
DEPT. of STATE

HABANA, September 3.1897.

Mr. LEE

TO THE

DEPARTMENT of STATE.

Confirming telegrams.

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No. 640.

U. S. CONSULATE GENERAL.

HABANA, September 3.1897.

Honorable William R. Day,

Assistant Secretary of State,

Washington.

Sir:-

I append for confirmation the followingstelegrams sent to the Department:-

Habana August 26.1897.
Assistant Secretary State,Washington.
In consequence many telegraphic inquiries about Evangelina Cisneros,desire to say whole matter has been misrepresented. Cannot ascertain there was ever any intention to deport her.
(signed) Lee.

Habana August 31.1897
Asistant Secretary State,Washington.
James Thomas Carry,born Cedar Falls,Iowa. Lived Chicago, 23 years old. Been insurrection eighteen months. Will send him New York Thursday.
(signed) Lee.

Habana September 1.1897.
Assistant Secretary State,Washington.
No newspaper correspondent has desk in this Consulate or services of a Consular Clerk during office hours,and no local paper has commented on same,as per statement New York Herald,Sunday last,just seen.
(signed) Lee.

I am,Sir,

Your obedient servant,

Fitzhugh Lee

Consul General

Copy.

No. 641

RECEIVED SECRETARY

Consular Bureau

U. S. CONSULATE GENERAL.

Acs Oct 9

INDEX BUREAU RECD. SEP 9 1897 DEPT OF STATE

HABANA, September 4.1897.

6 Mr. LEE

to the

Department of State.

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Orleans Oct 8

Blank Forms.

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Enclosures.

----------0----------

No. 641

U. S. CONSULATE GENERAL.

HABANA, September 4.1897.

6

Honorable William R. Day,

Assistant Secretary of State,

Washington.

Sir:-

With reference to my despatch of August 12th.,in which I requested a supply of blank forms for invoices,according to the samples furnished by the Department with the convenient change of bill head and ruling as on the forms hitherto supplied by this Consulate General,and the Department's instruction 449 of August 23rd.,stating that the forms requested had been sent,as appears also by the invoice of official supplies,dated August 27th., I am constrained to state that the 6500 blank forms mentioned in said invoice are unserviceable for this office,as they do not conform to the samples sent by the Department,and are not printed on different colored paper,according to number of forms,and as provided by the Department's Circular of August 1st.

I,therefore,again enclose samples to be printed with the only modification of filling in the names of the Consular etc. and the bill head and ruling as used in this office.

If the supply can be furnished by the Department printed, in conformity with my request of August 12th.,there will be considerable economy in this expense for invoice blank forms at this office.

I am,Sir,

Your obedient servant,

Fitzhugh Lee

Consul General.

Enclosures.

(FORM NO. 140.)

Certificate to be Indorsed on Each of the Triplicate (or Quadruplicate) Invoices of Merchandise.

I, _____, consul-general of the United States at _____, do hereby certify that at _____, on this _____ day of _____, A. D. 189 , the within invoice, No. _____, in which are mentioned and described certain _____

_____

_____

_____

amounting, with the charges thereon, to the gross sum of _____, was produced to me by _____

in person, who thereupon declared, in writing, that entry of said merchandise was to be made at the port of _____, in the United States of America.

I do further certify that I am satisfied that the person making the declaration hereto annexed is the person he represents himself to be, and that the actual market value or wholesale price of the merchandise described in the said invoice in the principal markets of the country at the time of exportation is correct and true, excepting as noted by me upon said invoice, or respecting which I shall make special communication to the proper authorities.

Witness my hand and seal of office at _____ the day and year aforesaid.

_____

Consul-General of the United States.

(PURCHASED.)

Invoice No. _____

Consulate-General of the United States

AT

_____

Date: _____, 189 .

Seller: _____

_____

Purchaser: _____

_____

Port of shipment: _____

Port of entry: _____

Value: _____

Contents: _____

_____

_____

_____

(FORM NO. 138.)

Declaration to be Indorsed on the Invoice and Signed by the Purchaser or the Seller, or by the Duly Authorized Agent of Such Purchaser or Seller, where Merchandise has been Actually Purchased.

I, _____,

of _____, do solemnly and truly declare that I am the _____ of the merchandise in the within invoice mentioned and described; that the said invoice is, in all respects, correct and true, and was made at _____, whence said merchandise is to be exported to the United States; that said invoice contains a true and full statement of the time when, the place where, and the person from whom the same was purchased, and the actual cost thereof, price actually paid or to be paid therefor, and all charges thereon; that no discounts, bounties, or drawbacks are contained in said invoice but such as have been actually allowed thereon; that no different invoice of the merchandise mentioned in said invoice has been or will be furnished to anyone, and that the currency in which said invoice is made out is that which was actually paid or is to be paid for said merchandise.

And I further declare that it is intended to make entry of said merchandise at the port of _____, in the United States of America.

Dated at _____,

this _____ day of _____, 189 .

_____

_____

(FORM NO. 140.)

Certificate to be Indorsed on Each of the Triplicate (or Quadruplicate) Invoices of Merchandise.

I, _____, consul-general of the United States at _____, do hereby certify that at _____, on this _____ day of _____, A.D. 189 , the within invoice, No. _____, in which are mentioned and described certain _____

_____

_____

_____

amounting, with the charges thereon, to the gross sum of _____, was produced to me by _____

in person, who thereupon declared, in writing, that entry of said merchandise was to be made at the port of _____, in the United States of America.

I do further certify that I am satisfied that the person making the declaration hereto annexed is the person he represents himself to be, and that the actual market value or wholesale price of the merchandise described in the said invoice in the principal markets of the country at the time of exportation is correct and true, excepting as noted by me upon said invoice, or respecting which I shall make special communication to the proper authorities.

Witness my hand and seal of office at _____ the day and year aforesaid.

_____

Consul-General of the United States.

(PURCHASED.)

Invoice No. _____

Consulate-General of the United States

AT

_____

Date: _____, 189 .

Seller: _____

_____

Purchaser: _____

_____

Port of shipment: _____

Port of entry: _____

Value: _____

Contents: _____

_____

_____

_____

(FORM NO. 138.)

Declaration to be Indorsed on the Invoice and Signed by the Purchaser or the Seller, or by the Duly Authorized Agent of Such Purchaser or Seller, where Merchandise has been Actually Purchased.

I, _____, of _____, do solemnly and truly declare that I am the _____ of the merchandise in the within invoice mentioned and described; that the said invoice is, in all respects, correct and true, and was made at _____, whence said merchandise is to be exported to the United States; that said invoice contains a true and full statement of the time when, the place where, and the person from whom the same was purchased, and the actual cost thereof, price actually paid or to be paid therefor, and all charges thereon; that no discounts, bounties, or drawbacks are contained in said invoice but such as have been actually allowed thereon; that no different invoice of the merchandise mentioned in said invoice has been or will be furnished to any one; and that the currency in which said invoice is made out is that which was actually paid or is to be paid for said merchandise.

And I further declare that it is intended to make entry of said merchandise at the port of _____, in the United States of America.

Dated at _____, this _____ day of _____, 189 .

_____

_____

(FORM NO. 140.)

Certificate to be Indorsed on Each of the Triplicate (or Quadruplicate) Invoices of Merchandise.

I, _____, consul-general of the United States at _____, do hereby certify that at _____, on this _____ day of _____, A. D. 189 , the within invoice, No. _____, in which are mentioned and described certain _____

_____

_____

_____

amounting, with the charges thereon, to the gross sum of _____, was produced to me by _____

in person, who thereupon declared, in writing, that entry of said merchandise was to be made at the port of _____, in the United States of America.

I do further certify that I am satisfied that the person making the declaration hereto annexed is the person he represents himself to be, and that the actual market value or wholesale price of the merchandise described in the said invoice in the principal markets of the country at the time of exportation is correct and true, excepting as noted by me upon said invoice, or respecting which I shall make special communication to the proper authorities.

Witness my hand and seal of office at _____ the day and year aforesaid.

_____

Consul-General of the United States.

(CONSIGNED FOR SALE.)

Invoice No. _____

Consulate-General of the United States

AT

_____

Date: _____, 189 .

Consignor: _____

_____

Consignee: _____

_____

Port of shipment: _____

Port of entry: _____

Value: _____

Contents: _____

_____

_____

_____

(FORM NO. 139.)

Declaration to be Indorsed on the Invoice and Signed by the Manufacturer or Owner, or Duly Authorized Agent of Such Manufacturer or Owner, where Merchandise has been Obtained Otherwise than by Purchase.

I, _____,

of _____, do solemnly and truly declare that I am the _____ of the merchandise in the within invoice mentioned and described; that the said invoice is in all respects correct and true, and was made at _____, whence said merchandise is to be exported to the United States; that said invoice contains the actual market value or wholesale price of the said merchandise at the date hereof in the principal markets of _____; that said actual market value is the price at which the merchandise described in the invoice is freely offered for sale to all purchasers in said markets, and that it is the price which I would have received, and was willing to receive, for such merchandise sold in the ordinary course of trade in the usual wholesale quantities, and that it includes all charges thereon and the actual quantity thereof, and that no different invoice of the merchandise mentioned in the said invoice has been or will be furnished to anyone. And I further declare that it is intended to make entry of said merchandise at the port of _____, in the United States of America.

Dated at _____

this _____ day of _____ 189 .

_____

_____

(CONSIGNED FOR SALE.)

(FORM NO. 139.)

Certificate to be Indorsed on Each of the Triplicate (or Quadruplicate) Invoices of Merchandise.

I, _____, consul-general of the United States at _____, do hereby certify that at _____, on this _____ day of _____, A. D. 189 , the within invoice, No. _____, in which are mentioned and described certain _____

_____

_____

_____

amounting, with the charges thereon, to the gross sum of _____, was produced to me by _____ in person, who thereupon declared, in writing, that entry of said merchandise was to be made at the port of _____, in the United States of America.

I do further certify that I am satisfied that the person making the declaration hereto annexed is the person he represents himself to be, and that the actual market value or wholesale price of the merchandise described in the said invoice in the principal markets of the country at the time of exportation is correct and true, excepting as noted by me upon said invoice, or respecting which I shall make special communication to the proper authorities.

Witness my hand and seal of office at _____ the day and year aforesaid.

_____

Consul-General of the United States.

Invoice No. _____

Consulate-General of the United States

AT

Date: _____, 189 .

Consignor: _____

_____

Consignee: _____

_____

Port of shipment: _____

Port of entry: _____

Value: _____

Contents: _____

_____

_____

_____

Declaration to be Indorsed on the Invoice and Signed by the Manufacturer or Owner, or Duly Authorized Agent of Such Manufacturer or Owner, where Merchandise has been Obtained Otherwise than by Purchase.

I, _____, of _____, do solemnly and truly declare that I am the _____ of the merchandise in the within invoice mentioned and described; that the said invoice is in all respects correct and true, and was made at _____, whence said merchandise is to be exported to the United States; that said invoice contains the actual market value or wholesale price of the said merchandise at the date hereof in the principal markets of _____; that said actual market value is the price at which the merchandise described in the invoice is freely offered for sale to all purchasers in said markets, and that it is the price which I would have received, and was willing to receive, for such merchandise sold in the ordinary course of trade in the usual wholesale quantities, and that it includes all charges thereon and the actual quantity thereof, and that no different invoice of the merchandise mentioned in the said invoice has been or will be furnished to anyone. And I further declare that it is intended to make entry of said merchandise at the port of _____, in the United States of America.

Dated at _____

this _____ day of _____ 189 .

_____

_____

(FORM NO. 140.)

CONSULAR CERTIFICATE.

RECEIVED. CONSULATE GENERAL U.S. ANTWERP Dispatch

I, the undersigned, Consul General of the United States, do hereby certify that, on this _____ day of _____, A. D. 189 , the invoice described in the indorsement hereof was produced to me by the signer of the annexed declaration.

I do further certify that I am satisfied that the person making the declaration hereto annexed is the person he represents himself to be, and that the actual market value or wholesale price of the merchandise described in the said invoice in the principal markets of the country at the time of exportation is correct and true, excepting as noted by me upon said invoice, or respecting which I shall make special communication to the proper authorities. I further certify _____

Witness my hand and seal of office the day and year aforesaid.

Received fee, equal to $2.50, U. S. gold.

United States Consul General

Consul-General of the United States

(FORM NO. 138.)

Declaration of Purchaser or Seller or Duly Authorized Agent of Either.

I, the undersigned, do solemnly and truly declare that I am the _____ of the merchandise in the within invoice mentioned and described; that the said invoice is, in all respects, correct and true, and was made at Habana, whence said merchandise is to be exported to the United States; that said invoice contains a true and full statement of the time when, the place where, and the person from whom the same was purchased, and the actual cost thereof, price actually paid or to be paid therefor, and all charges thereon; that no discounts, bounties, or drawbacks are contained in said invoice but such as have been actually allowed thereon; that no different invoice of the merchandise mentioned in said invoice has been or will be furnished to any one, and that the currency in which said invoice is made out is that which was actually paid or is to be paid for said merchandise. I further declare _____

I further declare that it is intended to make entry of said merchandise at the port of _____, in the United States of America.

Dated at Habana, this _____ day of _____, 189 .

PURCHASED BY IMPORTER.

Invoice No. _____. *Issued in* { TRIPLICATE. / QUADRUPLICATE.

Consulate General of the United States

AT

Habana

Date: _____, 189 .

Seller: _____

Purchaser: _____

Name of vessel: _____

Port of shipment: HABANA,

Port of arrival: _____

Port of entry: _____

Value: _____

Contents: _____

CUSTOM-HOUSE INDORSEMENT.*

No. _____

Importer: _____

Vessel: _____

From: _____

Arrived: _____

Kind of Entry:

Marks, Quantity, and Contents:

*Consular officers will leave all of above indorse blank. It is to be filled in only at the custom-hou the port of entry.

Copy.

No. 6 4 2.

3rd. ASST. SEC.
SEP 8 1897

U. S. CONSULATE GENERAL.

INDEX BUREAU
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SEP 7 1897
DEPT. OF STATE

HABANA, September 4.1897.

Mr. LEE

TO THE DEPARTMENT of STATE.

See note to Spanish Minister Oct. 1897

Referring to Department's instruction No.440, August 13.1897, and transmitting a copy and translation of the Schedule of Special Taxes established by the Board of Harbor Works of Santiago de Cuba.

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Two enclosures.

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No.642.

U. S. CONSULATE GENERAL.

HABANA, September 4.1897.

Honorable William R. Day,

Asistant Secretary of State,

Washington.

Sir:-

With reference to my despatch No.599 of the 30th.July,in which I transmitted copy and translation of a Royal Order,published in the Gazette of Habana March 13.1897,respecting certain charges on vessels upon entering the port of Santiago de Cuba,and the Department's instruction No.440 of August 13.1897, I have now the honor to transmit a copy of the schedule of special taxes established by the Board of Harbor Works of Santiago de Cuba,with exclusive application to the dredging,repairs,preservation and improvements of said port,accompanied by a translation.

I am,Sir,

Your obedient servant,

Fitzhugh Lee

Consul General.

Enclosures:-

Schedule of special taxes,port of Santiago de Cuba.

Translation of same.

Enclosure No. 2.
With Despatch No. 642
H A B A N A , September 4 1897.

TRANSLATION.

BOARD OF HARBOR WORKS OF SANTIAGO DE CUBA.

TARIFF

of imposts specially applied to the dredging, repairing, preservation and improvement of the said Port.

Approved by Royal Order of the 7th February, 1897.

Import taxes to consignees.

1st Group.		
Provisions in general and articles of drink and fuel, with the exception of mineral coal per 1000 kilograms	$	.75
2nd Group.		
Textiles of all kinds with the exception of silk, per 1000 kilograms	"	1.50
3rd Group.		
Articles of silk, haberdashery, drugs, peltry and cabinet work, per 1000 kilograms	"	2.
4th Group.		
Mineral coal per 1000 kilograms	"	.10
5th Group.		
Articles of hardware, glassware, lumber, machinery and those not comprised in the other groups, per 1000 kilograms	"	.50

The unity of reference for the fractions of 1000 kilograms

of 1000 kilograms, will be that of 100 kilograms, to be paid for each fraction the amount corresponding to the said unity of 100 kilograms.

Unloading duties on vessels.

Ocean steamers.

For each 1000 kilograms they unload	$	.25

Ocean sailing vessels.

For each 1000 kilograms they unload	"	.20
For each 1000 kilograms of mineral coal unloaded by ocean steamers.	"	.12 1/2
For each 1000 kilograms ditto. ditto. sailing vessels.	"	.10

Coastwise steamers.

For each 1000 kilograms they unload	"	.12 1/2

Coastwise sailing vessels.

For each 1000 kilograms they unload	"	.10

Vessels alongside the wharves in charge of the Board will pay the following duties:

Ocean vessels.

For each registered ton during the time they lie alongside the wharves, steam and sailing vessels will pay daily	"	. 1

Coastwise vessels

For each registered ton during the time they lie alongside the wharves, steam and sailing vessels will pay daily	"	. 1/2

Duties on vessels of all sizes and descriptions.

Interior traffic of the Port.

Vessels of all kinds with the exception of those moved by steam or any other motor, either for pleasure or traffic, shall pay monthly, up to one ton $ .50

Above one ton "" .50

plus 10% additional duty per each ton or fraction of a ton.

Vessels moved by steam or other motors.

For pleasure or traffic, shall pay monthly up to 1 ton" 1.

Above 1 ton " 1.

plus 20% in addition for each ton or fraction. "

Entry dues.

All entries from ports of same are considered as such. Those not coming from ports of entry are considered as of of interior trafiic of the port. Vessels entering port in ddistress are exempt from duties except in case they should unload, they then pay according to tariff .

Ocean steamers.

For each entry in port each one shall pay, " 8.50

Ocean sailing vessels.

For each entry in port each one shall pay, " 4.25

Coastwise steamers.

For each entry in port, each vessel shall pay, " 3.

Coastwise sailing vessels.

For each entry in port each vessel shall pay, " 1.50

Import duties on cattle and poultry.

For each head of cattle,		$ .50
do.	horses;	" 1.50
do.	mules;	" 1.
do.	hogs;	" .25
do.	sheep;	" .10
do.	goats;	" .10
For each dozen fowls of all kinds.		" .20

Approved by H.M.by Royal Order of the 7th February,1897 and ordered to be complied with by His Excellency the Governor General of this Island on the 25th of same month.

Santiago de Cuba,30 June,1897.

The President,
FEDERICO ORDAX,

The Secretary-Auditor
CAYETANO RÉPIDE.

Enclosure No 1 to #642
with Despatch
Habana, Sept 4, 1897.

JUNTA DE OBRAS DEL PUERTO

DE

SANTIAGO DE CUBA

TARIFA

DE

arbitrios especiales con esclusiva aplicación á limpia, obras de reparación, conservación y mejoras de dicho Puerto.

APROBADA POR REAL ORDEN DE 7 DE FEBRERO DE 1897.

SANTIAGO DE CUBA

Imprenta y Papelería ISLA DE CUBA de Bmé. Mestre—Enramadas, baja, 6.

1897

JUNTA DE OBRAS DEL PUERTO

DE

SANTIAGO DE CUBA

TARIFA

DE

arbitrios especiales con esclusiva aplicación á limpia, obras de reparación, conservación y mejoras de dicho Puerto.

APROBADA POR REAL ORDEN DE 7 DE FEBRERO DE 1897.

SANTIAGO DE CUBA

Imprenta y Papelería ISLA DE CUBA de Bmé. Mestre—Enramadas, baja, 6.

1897



JUNTA DE OBRAS DEL PUERTO DE SANTIAGO DE CUBA

TARIFA

DE

arbitrios especiales con esclusiva aplicación á limpia, obras de reparación, conservación y mejoras de dicho Puerto

Arbitrios de importación á consignatarios	Unidades	PESOS	CTS.
1ER GRUPO			
Comestibles en general y artículos de beber y arder á excepción del carbón mineral pagarán por..... ..... kilógramos	1000	...	75
2º GRUPO			
Tejidos de todas clases á excepción de los de seda, los..... ..... kilógramos	1000	1	50
3ER GRUPO			
Artículos de sedería, mercería, quincallería, drogas, peletería y ebanistería, los kilgs.	1000	2	...
4º GRUPO			
Carbón mineral, los.....kilógramos	1000	...	10

	Unidades	PESOS	CTS.
5º GRUPO			
Artículos de ferretería, locería, maderas, maquinaria y los no comprendidos en los demás grupos, los..... kilógramos	1000	...	50
La unidad de referencia para las fracciones de *1000 kilógramos*, será de *100 kilógramos*, abonándose por cada fracción lo correspondiente á dicha unidad de 100 kilógramos			
Arbitrios de descarga á buques conductores			
De travesía de vapor			
Por cada 1000 kilógramos de lo que descarguen..		...	25
De travesía de vela			
Por cada 1000 kilógramos de lo que descarguen ..		...	20
Por cada 1000 kilógramos de carbón mineral que descarguen los buques de travesía de vapor.....		...	12½
Por cada 1000 kilógs. de id. id. en buques de vela.		...	10
De cabotaje de vapor			
Por cada 1000 kilógramos de lo que descarguen ..		...	12½
De cabotaje de vela			
Por cada 1000 kilógramos de lo que descarguen ..		...	10
Arbitrios de atraque á los muelles á cargo de la Junta			
DE BUQUES DE TRAVESIA			
Por cada tonelada de las de registro durante el tiempo que estén atracados, pagarán diariamente los de vapor y de vela		...	1

	PESOS	CTS.
BUQUES DE CABOTAJE		
Por cada tonelada de las de registro durante el tiempo que estén atracados, pagarán diariamente los de vapor y de vela.....	...	½
ARBITRIOS DE EMBARCACIONES		
TRÁFICO INTERIOR DEL PUERTO		
Embarcaciones de todas clases á excepción de las de vapor ú otro motor de recreo ó de tráfico, pagarán mensualmente hasta una tonelada.....	...	50
De una tonelada en adelante .... más 10 p. % de recargo por cada tonelada ó fracción...	...	50
Embarcaciones de vapor á otro motor		
De recreo ó de tráfico, pagarán mensualmente hasta una tonelada	1	...
De una tonelada en adelante..... ..... más 20 p. % de recargo por cada tonelada ó fracción...	1	...
ARBITRIO DE ENTRADAS		
Se consideran entradas para los efectos de este artículo, todas aquellas que procedan de puertos habilitados.—Los que no tengan dicha procedencia, se considerarán como de tráfico interior del puerto.—Se exceptuarán las entradas de arribada forzosa, cuando no hagan los buques operaciones de carga; si las hicieren pagarán según tarifa.		
Buques de travesía de vapor		
Por cada entrada en el puerto, pagarán cada uno..	8	50
Buques de travesía de vela		
Por cada entrada en el puerto, pagarán cada uno..	4	25

	PESOS	CTO.
Buques de cabotaje de vapor		
Por cada entrada en el puerto, pagarán cada uno..	3	...
Buques de cabotaje de vela		
Por cada entrada en el puerto, pagarán cada uno..	1	50

Arbitrios de introducción de ganados y aves

Por	cada	cabeza	de	ganado	vacuno.....	...	50
»	»	»	»	»	caballar.....	1	...
»	»	»	»	»	mular.....	1	...
»	»	»	»	»	cerda.....	...	25
»	»	»	»	»	lanar	...	10
»	»	»	»	»	cabrío	...	10
»	»	docena	de	aves	de todas clases.....	...	20

Aprobada por S. M. en Real Orden de 7 de Febrero de 1897 y puesto el cúmplase por el Excmo. Sr. Gobernador General de esta Isla en 25 del indicado més.

Santiago de Cuba, 30 de Junio de 1897.

El Presidente, Federico Ordax

El Secretario-Contador, Cayetano Répide.

No. 643

Consular Bureau file

ACR

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SECRETARY.

U. S. CONSULATE GENERAL.

HABANA, September 4.1897.

Mr. LEE

to the

Department of State.

----------O----------

Advising having obtained leave of absence, and departure for the United States.

----------O----------

Two Enclosures.

----------O----------

No. 643.

U. S. CONSULATE GENERAL.

HABANA, September 4.1897.

Honorable William R. Day,

Assistant Secretary of State,

Washington.

Sir:-

Availing myself of the leave of absence with permission to visit the United States, granted me by the Department of State, I now have the honor to advise you that I shall leave today for New York by the American SS, Seguranca, and consequently my transit and leave will count from tomorrow's date.

During my absence the office will be in charge of Mr. JOSEPH A.SPRINGER, U.S.Consular Clerk and Vice Consul General. I enclose herewith copy of agreement made with him regarding compensation during my absence.

I also enclose Mr.SPRINGER'S receipt for the Cypher Code No.26, of the Department.

My address while on leave in the United States will be care of the Department of State, Washington, D.C.

I am, Sir, Your obedient servant,

Consul General.

Enclosures:-

1. Agreement with Mr.SPRINGER.
2. Receipt for Cypher Code.

Enclosure No.1.

With Despatch No.

Habana September 4.1897.

U.S.CONSULATE GENERAL,

Habana September 4.1897.

IT IS HEREBY AGREED, between FITZHUGH LEE, Consul General of the United States at Habana, Cuba, and JOSEPH A.SPRINGER, U.S.Consular Clerk and Vice Consul General, that during the absence of the first named under present leave, as granted by the Department of State, this last named shall receive in addition to his compensation as Consular Clerk, the entire amount of notarial and un-official clerical fees collected, of which he ordinarily receives the one-half; and hereby waives all claim to the salary of the Consul General during his statutory leave of absence.

WITNESS our hands and the seal of this Consulate General, date as above.

Fitzhugh Lee

Consul General.

Joseph A. Springer

Consular Clerk,

Vice Consul General.

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Enclosure No.2.

With Despatch No.

Habana September 4.1897.

U.S.Consulate General,

Habana September 4.1897.

I have this day received from FITZHUGH LEE,Esquire, U.S.Consul General at Habana,Cuba,the CYPHER CODE of the DEPARTMENT of STATE,No.26; together with the APPENDIX HOLO-CRYPTIC CODE,No.26; for which I have given him duplicate receipts.

Vice Consul General.

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Consular Bureau

No. 644

3rd. ASST. SECRETARY. SEP 13 1897

U. S. CONSULATE GENERAL.

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HABANA, September 4.1897.

Copy to Secy Treasury

ack by form Copy to Treas. Sept. 14.

Mr. LEE

TO THE

DEPARTMENT of STATE.

Visas to Chinese certificates.

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No. 6 4 4.

U. S. CONSULATE GENERAL.

HABANA, September 4.1897.

Honorable William R. Day,

Asistant Secretary of State,

Washington.

Sir:-

In accordance with paragraph 373 of Consular Regulations, and with reference to instruction No.384,of June 25th,I have the honor to inform the Department that the following certificates issued to Chinese subjects of the exempt class,have been visaed at this office to entitle them admission into the United States,upon the following evidence respecting each visa.

Visa No.369. YONG QUE. 32 years. merchant.

Upon affidavit of Chung Shank,managing partner of the firm ogf C.Shank and Co.anf Kwong Lung Jin and Co.22 Mott St.N.Y.before A.M.Sares,Notary Public Aug.3.1897,and visaed by D.G.Hawthorne,Deputy Coll.
Certificate issued by Chinese Consul General,and visaed by Regional Government,Habana.

Visa No.378. SEEN HON. 19 years. student.

Upon the affidavit of Chung Hong,managing partner of firm of Kwong Lung Jin and Co.22 Mott St.New York before Frank Aiello Notary Public 9 July 1897,attested by Clerk Supreme Court,and visaed by Thos.J. Dunn,Deputy Collector New York.
Certificate issued by Chinese Consul General,and visaed by Regional Goverrmeht,Habana.

Visa No.380. CHUNG HING. 20 years. student.

Upon the affidavit of Chung Hing,managing partner of firm of Kwong Lung Jin and Co.22 Mott St.N.Y.before Frank Aiello A Notary Public,August 10.1897,attested by Clerk of Supreme Court,and visaed by Thos J.Dunn Deputy Collector,New York.
Certificate issued by Chinese Consul General,and visaed by Regional Government,Habana.

Visa 383. LON CHUAN FAN. 42 years. merchant.

Visa 384. LAY CHAO. 36 years. mercnat.

Upon certificates issued by the Chinese Consul General,and visaed by the Regional Government,Habana, and a descriptive list forwarded by Collector of Customs at New York.

The above five Chinese sailed on the 2nd.instant for New Youk, by the steamer "Yumuri".

Visa No.347. CHU DICK POY. 26 years. merchant.

Upon affidavit of Dan Ping,managing partner of Tuck Chong and Co.15 Mott St.N.Y.before Louis Casale Notary Public July 14.1897,and visaed by D.G.Hawthorn Deputy Collector.
Certificate issued by Chinese Consul General,and visaed by Regional Government,Habana.

Visa No.361. KWOCK DOW. 34 years. merchant..

Upon affidavit of Lee B.Lok,managing partner of Sun Kwong On & Co.21 Mott St.N.Y.before Frank Aiello Notary Public July 9.1897,attested by Clerk of Supreme Court,and visaed by D.G.Hawthorne,Dep.Collector
Certificate issued by Chinese Consul General,and visaed by Regional Government,Habana.

Visa No.362. LEE CHONG. 32 years. merchant.

Upon affidavit of Lee Yick You,managing partner of Wing Woh Chong & Co.34 Pell St.N.Y.before Frank Aiello Notary Public July 31.1897,and visaed by Thos.J.Dunn,Deputy Collector.
Certificate issued by Chinese Consul General,and visaed by regional Government,Habana.

Visa No.364. LEE LUN. 40 years. merchant.

Upon affidavit of Lee Dong,manager of firm of Yee Wah & Co.915 Race St.Philadelphia,before Harry L. Meyer Notary Public,Philadelphia July 16/'97,attested by Clerk of Supreme Court,and visaed by Deputy Collectoy of that port.
Certificate issued by Chinese Consul General,and visaed by Regional Government,Habana.

Visa No.375. LOI AH WAY. 30 years. merchant.

Upon affidavit of Ing Ging,member of the firm of Yee Hing Lung & Co.68 Bayard St.New York,before Walter E.Bird Notary Public May 25/'97,attested by Clerk of Supreme Court,and visaed by D.G.Hawthorne,Dep. Collector,New York.
Certificate issued by Chinese Consul General,and visaed by Regional Government,Habana.

Visa No.376. YOUNG HONG. 26 years. merchant.

Upon the affidavit of Young Foy,managing member of the firm of Kwong On Wo & Co.30 Pell St.N.Y.before Frank Aiello Notary Public May 25/'97,attested by Clerk of Supreme Court,and visaed by D.G.Hawthorne, Deputy Collector,New York.
Certificate issued by Chinese Consul General,and visaed by Regional Government,Habana.

Visa No.377. LEE WON HONG. 46 years. merchant.

Upon affidavit of Harry Lee King,managing partner of Horn Hong Low & Co.11 Mott St.N.Y.before Frank Aiello Notary Public July 31/'97,and visaed by Thos.J.Dunn Deputy Collector,New York.
Certificate issued by Chinese Consul General,and visaed by Regional Government,Habana.

Visa No.381. CHOW LING. 27 years. merchant.

Upon affidavit of Ho Pooh,managing partner of firm of Quong Yaen Shing & Co.5 Mott St.N.Y.before Walter E. Bird,Notary Public July 27/'97atatested by Clerk of Supreme Court,and visaed by Thos.J.Dunn,Deputy Coll. Certificate issued by Chinese Consul General,and visaed by Regional Government,Habana.

Visa No.382. CHUNG CHEE. 28 years. merchant.

Upon affidavit of Chung Hong,managing partner of Kwong Lung Jin & Co.22 Mott St.N.Y.before Frank Aiello Notary Public Aud.10/'97attested by Clerk of Supreme Court,and visaed by Thos.J.Dunn,Deputy Collector,New York.
Certificate issued by Chinese Consul General,and visaed by Regional Government,Habana.

The above nine Chinese sailed this day for New York by the steamer "Seguranca".

I am,Sir,

Your obedient servant,

Joseph A Springer

Vice Consul General.

DEPT. OF STATE
MAR-9 8.41 PM 1903
XXX.
CHF. CLKS. OFFICE

INDEX BUREAU RECD. SEP 25 '97 DEPT. OF STATE

RECEIVED. SEP 25 1897 BUREAU OF ACCOUNTS U.S. DEP OF STATE.

FILE

U. S. CONSULATE GENERAL.

HABANA, September 4th.1897.

Mr.LEE

to the

Department of State.

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Dase of Manuel Fernandez Chaqueilo.

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Transmitting account for Counsel's fees.

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No.XXX.

U. S. CONSULATE GENERAL.

HABANA, September 4..1897.

8

Honorable William R. Day,

Assistant Secretary of State,

Washington.

Sir:-

I have the honor to transmit herewith an account against the Department of State,with corresponding voucher,for the sum of One Hundred dollars paid to Counsel employed in the defense of the American citizen MANUEL FERNANDEZ CHAQUIELO,at his trial by court martial on the 22nd.July. This expense was authorized by the Department's instruction No.404 of July 14th., and telegram of July 21st.in answer to mine of same date.

I shall draw for said amount on the Honorable Secretary of State.

I am,Sir,

T. M.

Your obedient servant,

Consul General.

Cons. Bureau
File

No. 645.

INDEX BUREAU REC'D SEP 11 1897 DEPT. of STATE

ASSISTANT SECRETARY SEP 13 1897 DEPARTMENT OF STATE.

U. S. CONSULATE GENERAL,

HABANA, September 6th 1897.

Mr. Springer

to the

Department of State

---------o---------

Reporting the departure on leave of absence of Consul General Lee.

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No. 645.

U. S. CONSULATE GENERAL.

HABANA, September 6th, 1897

Hon. William R. Day,

Assistant Secretary of State,

Washington, D.C.

Sir:

I have the honor to inform the Department that under leave of absence granted by the Secretary of State, Consul General Lee sailed for New York on Saturday afternoon, the 4th instant, on board of the American steamship "Seguranca".

I have consequently assumed charge of the Consulate General, from date of the fifth instant.

I am, Sir, your obedient servant,

Joseph A. Springer

Vice Consul General.

ASSISTANT SECRETARY
SEP 14 1897
DEPARTMENT OF STATE.

ASST. SECRETARY
SEP 14 1897

Consular Bureau

No. 646.

U. S. CONSULATE GENERAL.

INDEX BUREAU
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HABANA, September 7th, 1897.

Acknowledged.
To J. P. Montes
SEP 16 1897

Mr. Springer

to the

Department of State

----------o---------

Relative to the case of the American citizen Pedro Manuel Hernandez, arrested at Guines, July 27th.

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One enclosure.

No. 646

U. S. CONSULATE GENERAL.

HABANA, September 7th, 1897.

Hon. William R. Day,

Assistant Secretary of State,

Washington, D.C.

Sir:

With reference to the case of the American citizen Pedro Manuel Hernandez, arrested at Guines, July 27th, and reported in despatches numbers 613 and 626, of August 11th and 19th, I have the honor to transmit herewith copy translation of a communication from the Captain General to the effect that he had inhibited the cognizance of this case by military jurisdiction, in favor of the civil jurisdiction, and referred the proceedings to the Court of Instruction of Guines.

I am, Sir, your obedient servant,

Jonas H. Springer

Vice Consul General.

1 Enclosure:

The Captain General to the Consul General, September 3rd.

Enclosure No. 1

With Despatch No. 646

H A B A N A , September 7, 1897.

Copy-Translation.

ARMY OF THE ISLAND OF CUBA. CAPTAINCY GENERAL. STAFF.

In conformity with my Auditor of War I have under this date inhibited myself of the cognizance of the cause initiated against the citizen of the United States, Pedro Manuel Hernandez, for aiding the rebellion, in favor of the Court of Instruction of Guines, to which Court the proceedings in the case will be referred.

I communicate to you the above in answer to your communication of the 29th July last.

God guard you many years. Habana, 3 September, 1897.

(Signed) Valeriano Weyler.

To the Consul General of the United States of America,

Habana.

No. 647.

Copy to Treasury

Consular Bureau

3rd. ASST. SECRETARY
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U. S. CONSULATE GENERAL.

HABANA, September 15.1897.

Mr. SPRINGER

to the

ANSWERED From
COPY TO Treasury
SEP 18 1897

Department of State.

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Visas to Chinese certificates.

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No. 647.

U. S. CONSULATE GENERAL.

HABANA, September 10.1897.

Honorable William R. Day,
Assistant Secretary of State,
Washington.

Sir:-In accordance with paragraph 373 of Consular Regulations, and with reference to instruction No.384,of June 25th.,I have the honor to inform the Department that the following certificates issued to Chinese subjects of the exempt class,have been visaed at this office to entitle them admission into the United States,upon the following evidence respecting each visa.

Visa No.349. LUNG YEN MOW. 29 years. merchant.

Upon affidavit of Dan Ping,managing partner of Yuck Cheng & Co.15 Mott St.New York,before Louis Canedo Notary Public July 14/'97,and visaed by D.G.Hawthorne Deputy Collector,New York.
Certificate issued by Chinese Consul General,and visaed by Regional Government,Habana.

Visa No.355. LEE SING. 45 years. merchant.

Upon affidavit of Lee Bing Kee,managing partner of Hing Chung Co.18 Mott ST.New York,before Frank Aiello Notary Public N.Y.June 26/'97,and visaed by D.G. Hawthorne,Deputy Collector,New York.
Certificate issued by Chinese Consul General,and visaed by Regional Government,Habana.

Visa No.367. LUNG GEE. 26 years. merchant.

Upon affidavit of Lee Kee,managing partner of Kwong Mew We & Co.13 Pell St.before Frank Aiello,Notary Public Aug.6/'97and visaed by D.G.Hawthorne,Deputy Collector,New York.
Certificate issued by Chinese Consul General,and visaed by Regional Government,Habana.

Visa No.385. ONE TON. 43 years. merchant.

Upon affidavit of Chong Dung Long,managing partner of Chong Wah & Co.909 Race St.Philadelphia,before B.R.Zutz Notary Public Aug.11/'97,and visaed by Deputy Collector of Customs of the port of Phila.
Certificate issued by Chinese Consul General,and visaed by Regional Government,Habana.

Visa No.386. JOU GEE ONE. 22 years. merchant.

Upon affidavit of Lee Sing Toy,managing partner of Wo Yuen Co.910 Race St.Philadelphia,before B.R.Zeitz Notary Public,Philadelphia,Aug.4/'97,and visaed by the Deputy Collector of Customs of that port.
Certificate issued by Chinese Consul General,and visaed by Regional Government,Habana.

Vida No.387. LEE JIM SING. 23 years. merchant.

Upon affidavit of Lee Yick You,managing partner of Wing Woh Chong & Co.34 Pell St.New York,before Frank Aiello,Notary Public July 31.1897,and visaed by Thos. J.Dunn,Deputy Collector,New York.
Certificate issued by Chinese Consul General,and visaed by Regional Government,Habana.

Visa No.388. FUNG THAN. 15 years. student.

Upon affidavit of Fong Gong,father of above boy,before Thos.J.Henry,Master in Chancery June 19/'97,and Willie Hong of No.12 Fair St.N.Y.of the Sun Sam See Company,before said Thos.J.Henry,and visaed by Thos. J.Dunn,Deputy Collector New York. Papers also visaed by J.H.Bowman,Deputy Collector,Newark,N.J.
Certificate issued by Chinese Consul General,and visaed by Regional Government,Habana.

Visa No.389. WONG FOOK. 30 years. merchant.

Upon affidavit of Lee Guy Chun,managing partner of Guy M.Lung & Co.43 Mott St.New York,before Walter E.Bird,Notary Public July 22/'97,attested by Clerk of Supreme Court,and visaed by D.G.Hawthorne,Deputy Collector,New York.
Certificate issued by Chinese Consul General,and visaed by Regional Government,Habana.

Visa No.390. YOUNG LIT. 20 years. student.

Upon affidavit of Young Lock,managing partner of the firm of Kwong Chin Chong & Co.2 Mott St.N.Y.before Frank Aielle,Notary Public,July 21/'97and visaed by D.G.Hawthorne,Deputy Collector,New York.
Certificate issued by Chinese Consul General,and visaed by Regional Government,Habana.

The foregoing nine Chinese sailed for New York by SS."Seneca" on the 9th.instant

Visa No.348. CHU GIN JIN. 31 years. merchant.

Upon affidavit of Dan Ping,managing member of firm of Tuck Chong & Co.15 Mott St.New York,before Louis Cando,Notary Public,July 14/'97,and visaed by D.G. Hawthorne,Deputy Collector,New York.
Certificate issued by Chinese Consul General,and visaed by Regional Government,Habana.

Visa No.350. LUNG TUNG WONG. 22 years. merchant.

Upon affidavit of Dan Ping,managing member of firm of Tuck Chong & Co.15 Mott St.N.Y.,before Louis Cando,Notary Public,14th.July 1897,and visaed by D.G. Hawthorne,Deputy Collector,New York.
Certificate issued by Chinese Consul General,and visaed by Regional Government,Habana.

Visa No.373. LOU YOU. 30 years. merchant.

Upon affidavit of Lee Hong,managihg partner of firm of Sang Chong & Co.28 Mott St.New York,before Frank Aiello Notary Public July 31.1897,and visaed by Thos. J.Dunn,Deputy Collector,New York.
Certificate issued by Chinese Consul General,and visaed by the Regional Government,Habana.

The foregoing three Chinese will sail this day by the S.S. "Concho",bound for New York.

I am,Sir,

Your obedient servant,

Vice Consul General.

No. 648.

Acknowledged. Inquiry notified SEP 17 1897

U. S. CONSULATE GENERAL,

HABANA, September 11.1897.

INDEX BUREAU RECD. SEP 14 1897 DEPT. OF STATE

3rd. ASST. SECRETARY. SEP 16 1897

Mr. SPRINGER

Notify Marcotty

to the

Department of State.

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"Prices Current of the Habana Cigar Factories".

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No. 648.

U. S. CONSULATE GENERAL.

HABANA, September 11.1897.

Honorable William R. Day,

Assistant Secretary of State,

Washington.

Sir:-

In accordance with instruction No.453,of August 25th.I have purchased for the use of the Treasury Department,and forward to same sixty copies of the publication "PRICES CURRENT OF THE HABANA CIGAR FACTORIES",corrected to July 1897.

The expense of which will appear to my credit in account current for this current fractional quarter.

I am,Sir,

Your obedient servant,

Joseph A. Springer

Vice Consul General.

FILE

No. 649.

U. S. CONSULATE GENERAL.

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SEP 14 1897
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HABANA, September 11.1897.

Mr. SPRINGER

to the

Department of State.

Receipt of Instructions and Circular.

No. 649.

U. S. CONSULATE GENERAL.

HABANA, September 11.1897.

Honorable William R. Day,

Assistant Secretary of State,

Washington. D. C.

Sir:

I have the honor to acknowledge the receipt of the Department's instructions from No.448,August 23rd, to No.459,Sept7th, 1897 .

I have also received the Department's circular dated 12th August,1897.

I am, Sir,

Your obedient servant,

Lambert Springer

Vice Consul General.

No. 650.

Consular Service

ASST. SECRETARY
SEP 16 1897

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Arrest ordered by party

U. S. CONSULATE GENERAL.

HABANA, September 11.1897.

Mr. SPRINGER

to the

Department of State.

Acknowledged.
J. D. L. B. Judkins
SEP 17 1897

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Case of John R. Judkins.

----------o----------

No.650.

U. S. CONSULATE GENERAL.

HABANA, September 11.1897.

Honorable William R. Day,

Assistant Secretary of State,

Washington.

Sir:-

With reference to the Department's instruction No.425 of August 25th.,making inquiry concerning JOHN R. JUDKINS of Indiana,a physician believed to be in the Cuban insurrection,I have to state that letters have been received from the Consulates at Santiago de Cuba,Matanzas,Cienfuegos and Sagua,but nothing has been learned concerning such a person.

Inquiries will,however,continue to be made as the opportunity offers.

I am,Sir,

Your obedient servant,

Jonah A. Springer

Vice Consul General.

Aug. 19 to
Dr. J.B. Judkins
Blanchester, Clinton Co., Ohio.

651

No. 651.

Acknowledged. SEP 22 1897

U. S. CONSULATE GENERAL,

INDEX BUREAU RECD. SEP 14 1897 DEPT. OF STATE

HABANA, September 11.1897.

Mr.SPRINGER

to the

Department of State.

----------O----------

Case of Porfirio Garrido,who asks relief as an American Citizen.

----------O----------

No. 651.

SOLICITOR'S
SEP 20 1897
U. S. CONSULATE GENERAL
SECRETARY'S

JUDGE DAY;- HABANA. September 11th, 1897.

General Lee's ruling as embodied in his letter of July 30th to Miguel A. Garrido, was correct upon the facts then before him. It did not then appear that Garrido was a minor residing in the United States at the time of the naturalization of his father. From the later letter of Manuel P. Delgado to General Lee, it appears that Garrido was born in Cuba April 4, 1874, and that he was sent by his father to the United States in May 1886. His father joined him in the United States in September of that year and was naturalized in 1893, at which time young Garrido was 19 years of age. He continued to reside in the United States until November, 1895,-- some six months after he had reached his majority.

Section 2172 R. S. provides that -- "The children of "persons who have been duly naturalized under any law of the "United States, x x x being under the age of twenty- "one years at the time of the naturalization of their pa- "rents, shall, if dwelling in the United States, be consider- "ed as citizens thereof" x x x.

Under the construction uniformly given this law, Garrido became a citizen of the United States through the naturalization of his father, and is therefore entitled to relief as an American citizen. The authorities cited by Mr. Delgado are pertinent, and many more can be found to the same effect.

F.V.

3 Enclosures:
No.1- Mr.Garrido to Mr.Lee.
No.2- Mr.Lee to Mr.Garrido.
No.3- Mr.Delgado to Mr.Lee.

Department of State,

CHIEF CLERK'S OFFICE.

Sept 15, 1897.

My Dear Judge Day:
If you have not
already examined
Mr. Fuller's No. 1.
Lincoln, Aug. 10, 1892,
Foreign Relations, that
year, p. 233, it
might aid you in
passing upon the
point raised in this
correspondence.
Yours truly

Judge Penfield:

In this case Consul Lee's ruling seems to be supported by the letter of Mr. Foster Dec. Rel. 1892, p 233, I have not time to examine the authorities cited by Mr. Delgado in the appended note to Genl Lee. Will you please examine the question and report your conclusions — soon.

Day.

SEP 18 1897
ASSISTANT SECRETARY

No. 651.

U. S. CONSULATE GENERAL.

HABANA, September 11th, 1897.

Hon. William R. Day,

Assistant Secretary of State,

Washington.

Sir:

A recent application to this office for relief in behalf of one PORFIRIO GARRIDO, who is stated to be a citizen of the United States by reason of the fact that his father acquired naturalization before he (PORFIRIO) became of age, and was now, under the assumed name of FRANCISCO GARCIA, sick and destitute of means in the town of Aguada de Pasageros, Matanzas Province, was answered by Consul General LEE to the effect that GARRIDO had not proven his right to American citizenship merely from the fact that his father had become naturalized in the United States during the minority of his son.

This letter is answered by Mr. MANUEL P. DELGADO, of Key West, repeating the claim that GARRIDO is entitled to be considered an American citizen and acknowledges that he landed on the coast of Cuba in November 1895, under the assumed name of FRANCISCO GARCIA, from which it is to be deduced that he came in some Cuban filibuster expedition.

As this point on naturalization is one frequently presented to this office, I beg to submit the correspondence in the matter to the consideration of the Department.

I am, Sir, your obedient servant,

Frederick A. Springer

Vice Consul General.

3 Enclosures:

No. 1- Mr. Garrido to Mr. Lee.
No. 2- Mr. Lee to Mr. Garrido.
No. 3- Mr. Delgado to Mr. Lee.

Cons. Bu.

Send instruction based on Mr. Van Dyne's note - Gen Lee was right on facts then before him, but if Delgado's statement is true relief should be granted

Day

ASSISTANT SEP 20 1897 DEPARTMENT OF STATE

Enclosure No. 1-
With Despatch No. 651-

HABANA, September 11th 1897.

Copy.

Key West, Fla., August 27, 1897.

Fitzhugh Lee, Esq.,

U.S. Consul General,

Habana.

Dear Sir:

I have just received a letter from my brother Porfirio Garrido, now in Aguada de Psageros, Province of Matanzas.

He is a citizen by right of our father Miguel Garrido being made citizen before my brother Porfirio was 21 years. Porfirio says he is sick and destitute and lying in the piazzas of Aguada de Pasageros.

He writes me with the name of Francisco Garcia, I do not know why.

Please, Mr. Lee, see about him. If you want it I can send you my father's papers, as I have them here.

Please do what you can for my brother Porfirio. He uses the name of Francisco Garcia in Aguada de Pasageros.

Very respectfully,

(Signed) Miguel A. Garrido.

(Signed) Fitzhugh Lee,

Consul General.

Enclosure No. 2
With Despatch No. 1651
HABANA, September 11th 1897.

COPY.

U.S.Consulate General.
Habana, August 30, 1897.

Mr. Miguel A. Garrido,
Key West, Fla.

Sir:

I have received your letter of the 27th instant, relative to your brother Porfirio Garrido, now at Aguada de Pasageros, Matanzas Province, under the name of Francisco Garrido, for whom you claim American citizenship by reason of your father Miguel Garrido, becoming naturalized before your brother became of age.

Naturalization does not extend its benefits to the minor children of an alien who acquires citizenship in the United States unless they are residing in the United States and subject to the jurisdiction thereof, and upon reaching majority, choose citizenship.

It does not appear that your brother complied with these requirements, or has otherwise acquired American citizenship.

I am, Sir, your obedient servant,

(Signed) Fitzhugh Lee,
Consul General.

Enclosure No. 3.

With Despatch No. 651.

H A B A N A, September 11th 1897.

COPY.

KEY WEST, Fla., Sept. 3rd, 1897.

Fitzhugh Lee, Esq.,

U.S. Consul General,

Habana.

Sir:

My friend, Miguel A. Garrido has requested me to aid him in his efforts to have his brother Porfirio returned to this country, and, accordingly, he has given me your letter of August 30th in reference to his brother.

I will try to convince you, Mr. Lee, of the right the young man, Porfirio Garrido, has to be adjudged and considered by you as an American citizen.

You state in your letter to Miguel A. Garrido that "naturalization does not extend its benefits to the minor children of an alien x x x x unless they (the minors) are residing in the United States and subject to the jurisdiction thereof, and upon reaching majority, choose American citizenship". You also state that Porfirio does not appear has complied with these requirements or has otherwise acquired American citzenship".

I have sought advice and have found on the American and English Cyclo. of Law the case of U.S. vs. Hirschfield, in S.D. of N.Y. Vol. 26 of Federal Reports (cases) decided by Judge Benedict in 1876, the following, which I think applies to the case of Porfirio Garrido. By Section 2172 of the Revised Statutes of the United States "such persons have a right to register,

although they are aliens and have never taken any step towards being admitted to become citizens. They are citizens by virtue of the statute and are never admitted by any Court or required to take any proceedings to entitle them to the right of citizenship".

Section 2172 of the Revised Statutes say that if minor resides in the U.S.at the time the father becomes a citizen they are citizens also. In the same decision before quoted I have found the following,which is the opinion of Attorney General 10-329.

"Children born in foreign country of parents who were then aliens,but who subsequently emigrated to this country,and became naturalized during the time such children were minors,are citizens of this country."

Such being the law and some decisions of the U.S.Courts I will now proceed to inform you of the particulars of this case of Porfirio Garrido.

Porfirio Garrido was born April 4,1874,in Cuba. Was sent by his father to Key West,May 30,1886. The father,Miguel Garrido,came to Key West with rest of family in Sept.1886,and was made a citizen in December,1893. Porfirio was then,when his father became a citizen,19 years and 8 months. Porfirio resided in this country until Nov.1895,and went to Cuba,landing on the coast.

I understand that according to Judge Benedict's decision, Porfirio Garrido is a citizen by virtue of Section 2172,R.S. and was not required to take any proceedings to entitle him to such right,and his case being fully covered by the Attorney General's opinion above referred to,I beg to say that his brother,in claiming for him the protection of the United States as such citizen did not err in the least but did have a right to make such claim.

I have not hesitated in writing you this tedious letter because I know that you are inclined by natural feeling and disposition towards the destitute Americans now in Cuba, and as Porfirio Garrido is one of them I hope that you will see into his case and give him equal benefit as you have already bestowed upon others. The fact of his landing on the Cuban coast and not on any port explains the reason why he passes with the name of Francisco Garcia.

Believe me, Sir, your obedient servant,

(Signed) Manuel P. Delgado.

Consular Bureau

No. 6 5 2.

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U. S. CONSULATE GENERAL.

HABANA, September 11.1897.

Mr. SPRINGER

to the

Department of State

to service
H. E. Dankelecker
H. E. reference
letter of the 13th instant

Acknowledged.
To H. E. Dankelecker
SEP 18 1897

----------0----------

Departure for the United States of Dr. Eligio A. Brunet with sister.

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No. 6 5 2.

U. S. CONSULATE GENERAL.

HABANA, September 11.1897.

Honorable William R. Day,

Assistant Secretary of State,

Washington.

Sir:-

With reference to instruction No.444 of August 18th., respecting transportation to the United States of Dr.ELIGIO A. BRUNET and Miss.ELOISA BRUNET, the Vice Consul at Cienfuegos reports that they sailed from that port on the 7th.instant, by S.S."Niagara" bound to New York.

I am,Sir,

Your obedient servant,

Jonathan Spencer

Vice Consul General.

No. XXX

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U. S. CONSULATE GENERAL.

HABANA, September 13th, 1897.

To Senate
Dec 18

Mr. Lee

to the

DEPARTMENT OF STATE.

----------o-------o---

Report in answer to Circular of July 17, 1897, respecting telegraphs, telephones and postal savings banks of Cuba.

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No. XXX

U. S. CONSULATE GENERAL.

HABANA, September 13th, 1897.

Hon. William R. Day,

Assistant Secretary of State,

Washington.

Sir:

In obedience to the Department's instructions in Circular dated July 17th, 1897, respecting information required concerning the telegraphs, telephones and postal savings banks of the Island of Cuba, I have the honor to transmit the following, as far as obtainable under the several heads of the circular, viz:-

1. I transmit a copy of the General Reglamentary Legislation of the postal service etc.; and a copy of Postal, Telegraphic and Telephone statistics for the fiscal year 1894-1895, to which I refer.

2, 3, 4, 5, 6, 7 and 8.

Postal savings banks are not known here.

9. The Government owns and manages the telegraphs of Cuba, ever since their establishment.

10. Telephone lines belong to private companies, except those belonging to the Guardia Civil, or military telephones.

11, 12, 13 and 14

Cannot answer.

15. Telegraphic messages are paid by special stamps, which are affixed to the message, according to number of words, and cancelled by stamp, or by pen and ink.

There are five denominations of such stamps, in values of .05, .10, .20, .40 and .80 cents.

16. Such stamps are sold at the public stamp offices.

17. There is no restriction to the words of a telegraphic message.

18. Tariff: From 1 to 10 words, address and signature included, 20 cents; from 10 to 15 words: 40 cents, each word exceeding 15, five cents extra.

19. Press telegrams are subject to same rates.

20. I have not obtained any statistics.

21. I refer to page 46 of the accompanying volume of statistics.

I am, Sir, your obedient servant,

Joseph A. Springer

Vice Consul General.

81 653

No. 653.

Acknowledged.
SEP 20 1897

U. S. CONSULATE GENERAL.

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DEPT. OF STATE.

HABANA, Sept.14,1897.

See tel. to Springer 08
Sept. 18

Mr? SPRINGER

to the

DEPARTMENT OF STATE.

----------o----------

Relative to the Cuban Relief Fund.

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1 Enclosure.

Copied for Peace Commission

No. 653.

U. S. CONSULATE GENERAL.

HABANA, September 14th, 1897.

Hon. William R. Day,

Assistant Secretary of State,

Washington.

Sir:

With reference to Consul General Lee's despatch No. 606, of the 3rd ultimo, relative to the Cuban Relief Fund, and No. 625, of August 19, advising that he had drawn on the Honorable Secretary of State for $5000 for said fund, I have to inform the Department that this last remittance is practically exhausted. Upon Mr. LEE's departure on leave of absence, on the 4th instant, he left in my hands for the relief fund the sum of about $844, spanish gold, being the balances on deposit at the bankers. Of this sum I have paid the following drafts; on account of the fund:

Consul Hyatt, Santiago de Cuba.	$200
Consul Brice, Matanzas.	"150
Vice Consul Casanova, Cienfuegos.	"150
	$500

I have also paid for the transportation to the United States of several citizens, and engaged transportation for others to leave during this and the coming week, which will virtually exhaust the funds in my hands. The distribution of rations by this office has been suspended for some five days, the money given by Mr. LEE to the agent charged with this business having been expended with the exception of a small amount retained to pay for medicines.

There are numerous daily applications at this office from parties who appear to be in abject misery and poverty, who have received no rations for weeks, the supplies being exhausted

No. 653.

U. S. CONSULATE GENERAL.

HABANA,

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before reaching their names on the list, but such applications can receive no attention, for it is not the purpose of this Consulate to incur any debt on account of the relief fund.

Our Consul at Matanzas, after having drawn for $150, sends a statement showing that he is indebted for the last week's supply of rations and medicines distributed at that place, and asks for a further remittance of $250 to square up to date; and suggests that a specified amount be allowed him weekly for the future. It would appear from his accounts that he requires about the sum of $250 weekly. This office requires more than twice that amount weekly, there being over 700 cases of relief receiving attention, and new cases almost daily being presented.

When are taken into consideration the present circumstances of the Island, the stagnation in business, the paralization of every kind of industrial and agricultural enterprise, the dearth of meat and provisions, and the steadily increasing cost of living, it will be easily understood how eagerly and gratefully this bounty of the United States is accepted by those living in this country, and claiming and entitled to American citizenship, for themselves and their wives and families.

If it is the intention of the Government to continue this relief I would suggest that a further remittance be promptly made to this office.

I am, Sir, your obedient servant,

Leonard A. Springer.

Vice Consul General.

1 Enclosure.

Mr. Brice to Mr. Springer, Sept. 13.

Enclosure No.1.
With Despatch No.683.
H A B A N A , September 14th,1897.

COPY.

U.S.CONSULATE at Matanzas,Sept.13,1897

Joseph A.Springer,Esq.

Vice Consul General,Habana.

Sir:

Have drawn on Havana office for $150 as per your letter of advice 11th inst.

I enclose for your consideration statement of acct.Relief Fund,as you will see we owe $250.84 for rations distributed last Sunday and medicines up to date from Sept.1st. As we have to contract rations in advance it is difficult to know what to depend upon. As your remittances from Habana are irregular and we do not know what amount we will be allowed cannot some specified amount be allowed? We can then arrange our plans accordingly.

Kindly remit us enough to square our present account and inform me as to the future.

I am etc.

(Signed) A.C.Brice.

Consul.

3rd. ASST. SECRETARY
SEP 23 1897

6 5 4

No. 6 5 4.

Consular Bureau

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U. S. CONSULATE GENERAL.

HABANA, September 18.1897.

Mr. SPRINGER

Copy to Treasury

to the

ANSWERED
COPY TO Treasury
SEP 25 1897

Department of State,

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Visas to Chinese Certificates.

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One enclosure.

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No. 654.

U. S. CONSULATE GENERAL.

HABANA, September 18.1897.

Honorable William R. Day,

Assistant Secretary of State,

Washington.

Sir:-

In accordance with paragraph 373 of Consular Regulations, and with reference to instruction No.384 of June 25th., I have the honor to transmit herewith, as per enclosure list of the certificates issued to Chinese subjects of the exempt class visaed at this office to entitle them to admission into the United States, and the evidence respecting each visa.

I am, Sir,

Your obedient servant,

Vice Consul General.

Enclosure:-

List as above.

Enclosure No.1.

With Despatch No.654.

September 18.1897.

U.S.Consulate General,Habana,

September 18.1897.

LIST of CERTIFICATES of CHINESE,issued at this office to entitle them to admission into the United States,sailing today by S.S."Orizaba".

Visa No.374. JU CHEUNG. 21 years. merchant.

Upon affidavit of Chu Fong,manager of firm of Hop Tai Wo & Co.20 1/2 Pell St.New York,before John G. Riker Notary Public,Westchester Co.Aug.6.1897,and visaed by Thos J.Dunn,Deputy Collector,New York.
Certificate issued by Chinese Consul General,and visaed by Regional Government,Habana.

Visa No.393. ARCH JIM. 40 years. merchant.

Upon the certificate of W.C.McCreery,Collector First District,Missouri,St.Louis June 8/'97,and affidavit of Jen Hon Yee,of firm of Hon Kee & Co.944 Locust St.StLouis,before Florence Patterson,Notary Public, June 7/'97.
Certificate issued by Chinese Consul General,and visaed by Regional Government,Habana.

Visa No.394. CHU GEE. 26 years. merchant.

Upon the affidavit of Chu Hoy,manager and member of firm of Sun Ching & Co.30 Mott St.N.Y.before John J.Ronzy Notary Public Aug.23/'97,and visaed by Thos. J.Dunn,Deputy Collector,New York.
Certificate issued by Chinese Consul General,and visaed by Regional Government,Habana.

Visa.No.395. LEE CHONG. 32.years. merchant.

Upon affidavit of Lee Guy Chun,managing partner of Guy On Lung & Co.45 Mott St.N.Y.before Jacob Finklestein,Notary Public Aug.5/'97,and visaed by D.G. Hawthorne,Deputy Collector,New York.
Certificate issued by Chinese Consul General,and visaed by Regional Government,Habana.

Visa No.396. CHU SAM. 25 years. merchant.

Upon affidavit of Chu Hoy,manager and member of firm of Kwong Lun Chong & Co.30 Mott St.New York,before John J.Ronzy,Notary Public Aug.23/'97,and visaed by Thos J.Dunn,Deputy Collector,New York.
Certificate issued by Chinese Consul General,and visaed by Regional Government,Habana.

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ASSISTANT SECRETARY
SEP 27 1897
No. 655.
DEPARTMENT OF STATE.

FILE

Secretary of State.
SEP 25 1897

U. S. CONSULATE GENERAL.

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HABANA, September 20th.1897.

RECEIVED.
SEP 28 1897
ACCOUNTS BUR. DEP. OF STATE.

Mr. SPRINGER

to the

Department of State.

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Cuban Relief Fund.

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No. 6 5 5.

U. S. CONSULATE GENERAL.

HABANA,

September 20th.1897.

Honorable William R. Day,

Assistant Secretary of State,

Washington.

Sir:-

I have the honor to acknowledge the receipt of the folfowing telegram,reading:-

Washington Sept.18.1897.
Springer,United States Vice Consul General,Habana.
Your number 653 received. Draw for five thousand dollars.

(signed) Day.

and to advise you that in conformity with above telegraphic instruction,I have drawn under this date,acceptance waived, at fifteen days' sight,upon the Honorable Secretary of State for the amount of Five Thousand dollars,($5,000.00) in two separate drafts of Two Thousand Five Hundred dollars each,one in favor of Messrs.HIDALGO & Co.,and one in favor of Messrs. G.Lawton Childs & Co.,and have received on the same a premium of 10 1/4 per cent.

Consequently there is now on deposit at each of said firms the sum of Two Thousand Seven Hundred and Fifty Six and 25/100 dollars, ($2,756.25) in Spanish gold,subject to my order to the credit of the Cuban Relief Fund.

I am,Sir,

Your obedient servant,

T.M.

Joseph A. Springer
Vice Consul General.

(Pr.)

Arch's Cat. 1, 1897.

No. 6 5 6.

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U. S. CONSULATE GENERAL.

HABANA, September 25th.1897.

REPORT FILED IN
BUREAU OF FOREIGN COMMERCE
FOR PUBLICATION

Mr.SPRINGER

to the

Department of State.

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Enclosing copies of the official Gazette, containing the text of the new Cuban Tariff.

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Two enclosures.

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See Consular Reports 207

Conf

Ackd. Odl.

No. 6 5 6.

U. S. CONSULATE GENERAL.

HABANA, September 25th.1897.

Honorable William R. Day,

Assistant Secretary of State,

Washington.

Sir:-

I have the honor to transmit two copies of the official Gazette,containing the text of the new Cuban Tariff,which has gone into effect,practically from the 20th.instant,ten days after its publication with the Royal Decree in reference to same.

I also transmit a translation of the Preamble and Royal Decree enforcing said tariff,and will endeavor later on to furnish a complete translation in conformity with the instruction of the Circular of the Department,dated July 29th.1897.

I am,Sir,

Your obedient servant,

Joseph A. Springer

Vice Consul General.

Enclosures:-

1. Tariff.
2. Translation referred to.

Enclosure No. 2 -

With Despatch No. 656 -

H A B A N A , September 25th, 1897.

TRANSLATION.

GAZETTE OF HAVANA,

OFFICIAL JOURNAL OF THE GOVERNMENT.

EXTRA EDITION.

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THURSDAY, Sept. 9th, 1897.

GENERAL GOVERNMENT OF THE ISLAND OF CUBA.

INTENDANCY GENERAL OF FINANCE.

The following Royal order is communicated to His Excellency the Governor General on the 18th of last month, through the Colonial Ministry:

"Excellency:- His Majesty the King, and in his name the Queen Regent of the Kingdom, has been pleased to issue the following Royal decree:

EXPOSITION.

MADAM: Ruling as law the provisions of the Royal decree of the 29th April of the present year, amplifying the law of the 15th March, 1895, respecting the system of government and civil administration of the island of Cuba, about to be created therein the Council of Administration, and the Basis which defines and establishes the faculties of the said Council with reference to the Tariff question being one of the principal reforms which the first of the said provisions contains, it is necessary

for the Government, in compliance with an unavoidable duty to prepare in advance for its execution in accordance with the above mentioned decree.

The said Basis imposes upon the Government the obligation of designating for the articles comprised in the respective Tariff schedules the duties which may constitute for the first time the differential column; and considering that the immediate realization of the conditions and proceedings therein established for the future is not possible; and considering furthermore that it is not convenient to postpone, in the meantime, the reform of the present Tariff, the said Basis IV provides that the Colonial Ministry, likewise in use of the authorization granted by the Law of the 28th June, 1895, may publish a provisional Tariff in conformity with the provisions of the said decree of the 29th April last, the fiscal duties assigned in same and those in connection with the export Tariff ruling temporarily.

This does not diminish in the least the exercise of the future faculties of the Council of Administration, but on the contrary it facilitates it, offering it a solid basis of departure, and affording it the opportunity of fixing within a short period the rules for the administration of the tariff dues; it may determine whatever convenient respecting any export duties; freely designate and modify the fiscal dues which burden importation; and report upon or propose any alteration that experience may teach advisable respecting the general or complementary provisions of the Tariff or of the classifications, notes and repertory of same; all of which shall be carried out within the limits, of course, of the basis established.

Apart from this consideration, sufficient by itself to justify the publication of the provisional Tariff, it is necessary to state frankly that with great care, bearing in mind above all

the interests of Cuba, upon taxing prudently but efficaciously the products of the Peninsula, though without inflicting upon them irreparable losses, the Government purposes to obtain greater returns from the Custom revenues which is the principal and safest resource of the Treasury of the Island.

In order to respond to the enormous necessities derived from the war, the development of the imposts in the Peninsula has, as no one ignores, already commenced; and it would not be possible to maintain the credit of the Cuban values nor of the new ones created in the Peninsula on account of the island of Cuba, if effective proofs were not given that the State is always disposed to seek permanent measures for the purpose of attending to its indispensable obligations.

The patriotism of the Peninsula, of which so many proofs have been given, has also been patent in this case by the way it has accepted the increase of its already heavy taxes; and the Government trusts that the sacrifices imposed by the new Tariff will not be the object of aversion, on the contrary, that they will be accepted as demanded by the interests of the Country and of reason.

On the other hand, the investigations initiated in view of the Royal decrees of the 29th April, 1892, and 10th January, 1895, for the purpose of receiving and examining the claims formulated by the authorities, private individuals, corporations and societies, regarding the customs tariff temporarily applied in the island of Cuba by the first of said decrees; the learned opinions given regarding the most important part of such claims by the Council of Administration as well as by the Committee appointed to this end by the last named; the reports no less enlightened furnished by the Departments and Corporations whose opinions were deemed convenient to obtain in this important matter, and the statistical work performed, meanwhile, respecting the import and export trade of the Great Antille, have furnished such valuable facts for the reform of the Tariff, that they have

not only enabled during the past year the revision of the present tariffs in accordance with the dispositions then ruling but also enable the undersigned Minister to present for Your Majesty's approval the accompanying provisional Tariff, drawn up in strict accordance with the rules dictated in the said Basis IV of the Royal decree of the 29th April of the current year, not only as regards its structure and procedure, but as regards its fundamental and substantial part; in view of the foregoing the undersigned has the honor to submit to Your Majesty's approval the following tariff decree. Madrid, 1st August, 1897.- Tomas Castellano y Villaroya.

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ROYAL DECREE.

In view of the Law of the 18th June, 1890, extended by the Royal decrees of the 29th April, 1892, and 10th January, 1895; in use of the authorization granted by the Law of the 28th June 1895, and in compliance with the 4th Basis of the Royal decree of the 29th April last; upon the proposal of the Colonial Minister, by and with the advice and consent of the Council of Ministers;

In the name of My Son the King Don Alfonso XIII and as Queen Regent of the Kingdom, I hereby decree as follows:

ARTICLE 1st:- The accompanying tariff, with the general provisions, notes and repertory is hereby approved, temporarily as provided and defined by the next to the last paragraph of the 4th Basis of the Royal decree of the 29th April last amplifying the Reform Law of the 15th March, 1895.

ARTICLE 2nd:- The new custom tariff will commence to rule ten days after the publication in the Habana Gazette of the

present Royal decree and of the tariff authorized by same. Nevertheless, the following merchandise will be appraised by the schedules of the former Tariff:

FIRST:- Merchandise brought in vessels leaving their last touching port before the expiration of the second day counting from that of the publication of the new tariff in the Habana Gazette.

And SECOND:- Merchandise which may have left their port of origin, with a direct bill of lading, for some of the ports of the island of Cuba, before the expiration of the said second day.

ARTICLE 3rd:- The additional transitory charges of 10 and 15 per cent, respectively, sanctioned by the Law of the 21st of February, 1895, are hereby suppressed because their amounts are comprised in that of the fiscal dues temporarily imposed. This exemption will rule, from the date of the application of the new provisional tariff, with respect to all merchandise subject to duties in accordance with same.

ARTICLE 4th:- All provisions inconsistent with those contained in the present decree are hereby annulled.

ARTICLE 5th:- The Colonial Minister will adopt all measures tending to the execution of the provisions contained in the foregoing articles.

Given at San Sebastian on the eighth August, 1897.- Maria Cristina - The Minister of the Colonies,- Tomas Castellano y Villaroya.

The above is published in the Habana Gazette of the 2nd instant by order of His Excellency for general information, and for its compliance. Habana, 3 Sept., 1897.

The Intendant General: Emilio Fagoaga.

The following Royal order is communicated on the 18th ultimo to His Excellency the Governor General through the Colonial Minister:

"Excellency:- His Majesty the King and in his name the Queen Regent of the Kingdom,has been pleased to issue the following Royal decree:

EXPOSITION: MADAM:- The special impost on manufacture and consumption of refined petroleum and other preparations referred to by article 11 of the Law of Budgets of the Island of Cuba of the 6th August,1893,being intended in the fiscal dues assigned to these products by the provisional customs tariffs of the said Island,which are under this date submitted to the approval of Your Majesty in compliance and in conformity with the provisions of Basis 1V of the Royal decree of the 29th April last by which the reforms of the system of the government and civil administration of that Island have been amplified it would not be just to continue the exaction of such an impost; and in consequence thereof,the undersigned Minister,by and with the advice and consent of the Council of Ministers,has the honor to submit to Your Majesty's approval the enclosed proposed decree. Madrid,1st August, 1897.- Tomas Castellano y Villaurrutia.

In conformity with the proposal of the Minister of the Colonies,and in accordance with the Council of Ministers; in the name of My August Son the King Don Alfonso XIII,and as Queen Regent of the Kingdom: I hereby decree as follows:

ARTICLE 1st:- The exaction of the special impost on the manufacture and consumption of refined petroleum and other preparations mentioned in article eleventh of the Law of the

6th August eighteen hundred and ninety three is hereby suspended.

This suspension will commence to rule on the same day as the provisional tariffs, approved by Royal decree of this date.

ARTICLE 2nd:- The Colonial Minister will report this decree to the Cortes.- Given at San Sebastian on the 6th August, 1897.- MARIA CRISTINA - The Colonial Minister:- Tomas Castellano y Villarroya.

By Royal order I communicate the same to Your Excellency for its proper publication and observance in that Island, to which end, enclosed is a copy of the Exposition preceding the preinserted Royal decree. "

And its compliance being directed by His Excellency on the 2nd instant, by his order it is published in the Habana Gazette for general information. Habana, 3 September, 1897.

EMILIO PAGOAGA.

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657

No.6 5 7.

File until [illegible] further [illegible] C

Consular Bureau



Habana September 25th.1897.

Mr.SPRINGER

Acknowledged. Jr. Iron
OCT 7 1897

- to the



Department of State.

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Confirming telegram.

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No. 6 5 7.

U. S. CONSULATE GENERAL.

HABANA, September 25th.1897.

Honorable William R.Day,

Assistaht Secretary of State,

Washington.

Sir:-

I have the honor to acknowledge the receipt of your telegram, reading:-

Washington September 20th.97
Springer, Vice Consul General, Habana.
Francisco del Valle of New York, registered American citizen, claims his cattle seized in violation of treaty rights in Sancti Spiritus and Ciego de Avila. Investigate, and protest to Spanish authorities if you can find claim well founded.
(signed) Day.

I have begun an investigation in this matter, but find considerable difficulty in getting any decided statements from parties who are acquainted with the facts, but dare not declare them throughtfear of the Government.

I will report later, such information as I may obtain.

I am, Sir,

Your obedient servant,

Joseph A. Springer

Vice Consul General.

No. 658

Cuba Treaties Cons. Bureau

U. S. CONSULATE GENERAL.

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HABANA, September 25th. 1897.

Ack. by tel & reqst to Pres. Oct. 2. 97.

Mr. SPRINGER

3rd. ASST. SECRETARY OCT 1 1897

to the

Department of State.

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Visas to Chinese Certificates.

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No.6 5 6.

U. S. CONSULATE GENERAL.

HABANA, September 25th.1897.

Honorable William R.Day,

Assistant Secretary of State,

Washington.

Sir:-

In accordance with paragraph 373 of Consular Regulations, and with reference to instruction No.384 of June 25th.,I have the honor to inform the Department that the following certificates issued to Chinese subjects of the exempt class,have been visaed at this office to entitle them admission into the United States,upon the following evidence respecting each visa.

The particulars regarding each visa are herewith enclosed.

I am,Sir,

Your obedient servant,

Vice Consul General.

Enclosure:-

As above described.

Enclosure No.1.

With Despatch No.6 5 8.

September 25th.1897.

U.S.Consulate General,Habana,

September 25th.1897.

LIST of CERTIFICATES of CHINESE,visaed at this office to entitle them to admission into the United States.

Visa No.399. CHEN CHI JO. 50 years. merchant.

Upon certificate of Chinese Consul General,visaed by Regional Government. This person was a merchant, and former Chinese Consular Agent in Sagua.

Visa No.400. CHANG YIN HON. 38 years. merchant.

Visa No. 401. WON KNAI SON. 44 years. merchant.

Upon certificates issued by Chinese Consul General, and visaed by Regional Government,which are visaed as good for United States in transit for China,under Art: 3 of Treaty of December 8th.1894. Descriptive sent to Collector of Customs,New York.

These three Chinese sailed by steamer "Yumuri" September 22nd.

Visa No.379. CHIN SAM. 37 years. merchant.

Upon the affidavit of Chin Hum Yee,managing partner of the firm of Quong Sing Chong & Co.68 Bayard St. N.Y.before Jacob Pinklestein,Notary Public,August 9th.1897,attested by Clerk of Supreme Court,and visaed by Thos.J.Dunn,Deputy Collector of Customs,N.Y. Certificate issued by Chinese Consul General,and visaed by Regional Government,Habana.

Visa No.392. LEE HING LUNG. 25 years. merchant.

Upon affidavit of Lee Dong,managing partner of Yee Wah Co.915 Race St.Philadelphia,before Henry C.Meyers Notary Public,attested by Clerk of Supreme Court of Common Pleas,and visaed by Deputy Collector of Customs,Philadelphia. Certificate issued by Chinese Consul General,and visaed by Regional Government,Habana.

The foregoing Chinese will leave by the steamer "Vigilancia", bound for New New York,and sailing this day.

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Consular Bureau

No. 659.

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U. S. CONSULATE GENERAL.

HABANA, September 30th.1897.

Mr. SPRINGER

Ack'd by Fulton

to the Ack'd by Term October 12, 1897.

Department of State.

3rd. ASST. SECRETARY. OCT 8 1897

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Decree of the Governor General respecting the exportation of leaf tobacco from the Provinces of Habana and Pinar del Rio.

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Two enclosures.

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Copied

No. 6 5 9.

U. S. CONSULATE GENERAL.

HABANA, September 30th.1897.

Honorable William R. Day,

Assistant Secretary of State,

Washington.

Sir:-

I have the honor to transmit herewith a copy and translation of a recent decree by the Governor General respecting the exportation of leaf tobacco from the Provinces of Habana and Pinar del Rio, and the continuance of the export duty upon tobacco grown in the provinces of Matanzas, Santa Clara and Puerto Principe.

2

It is asserted that the public interested has received with general satisfaction the part relating to leaving in force the export tariff of 1892, but the part respecting the mainfenance of the Decree of May 16th. of 1896, prohibiting export of tobacco grown in the provinces of Habana and Pinar del Rio, has not been received with the same unanimity, by reason of the varied interests involved.

Wherefore the Governor General, to preserve the transitory character of the Decree referred to, has ordered an investigation to be made at the end of the year respecting the advantages or disadvantages that may result to agriculture, industry, commerce and the Treasury by the export of leaf tobacco from the provinces of Habana and Pinar del Rio.

I am, Sir,

Your obedient servant,

Joseph A. Springer

Vice Consul General.

Enclosures:-

(1) Decree of Governor General respecting exportation of Tobacco.
(2) Translation of same.

Enclosure No.1
With Despatch No. 659.
H A B A N A , September 30th,1897.

TRANSLATION.

From the GAZETTE OF HABANA,September 29th,1897.

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INTENDANCY GENERAL OF FINANCE.

PREAMBLE.

Excellency:- The tax of $20 for every one hundred kilos of leaf tobacco grown in the provinces of this Island,except in that of Santiago de Cuba,established by the new customs tariff, with the preceptive note of imposing on same an additional tax of 100 per cent,if the leaf be wrapper or if each package or lot should contain wrappers in a proportion exceeding 10 per cent,has caused many to believe that the amount of the said tax and the manner of its application,gives it a prohibitive character,derogating implicitly Your Excellency's decree (Bando) of the 16th May,1896.

In the judgement of the undersigned Intendant,a problem has arisen precisely from the publication of the new tariff,in the solution of which there should intervene in the first place the statement that the said Decree as well as the Regulations for its compliance still continues to be in force.

The Vuelta Abajo tobacco crop of 1896 was almost totally destroyed; that of 1897 can be estimated in about 40 or 45.000 bales,of which one half,according to authorized reports,will have to be destined for cut tobacco (picadura) because of its condition and quality,thereby reducing the crop of tobacco fit

for manufacture to about 20 or 25.000 bales,an amount evidently insufficient to cover even the needs of the principal factories of Habana which consume from 4 to 5000 bales each.

Therefore,however high the impost may be,and strict the guarantees adopted not to elude its application,if the Decree (Bando) of the 16th May be derogated; and if the prohibition to export Vuelta Abajo tobacco be raised,the latter would immediately seek a foreign market,to which it is attracted by powerful interests created before the publication of Your Excellency's Decree,and as a consequence thereof irreparable damages would be caused here to the industries of the country with the serious and painful sequel of a labor crisis.

The convenience is ,therefore,evident of maintaining in existence the Decree and its regulations,at least until the crop of 1897 to 1898 once known,a full investigation may be opened,in which the active forces of the country may take part,respecting the advantages or disadvantages which the exportation of the said tobacco may cause to Agriculture,Industry,Commerce,and to the Treasury.

But the circumstances,the reasons of which show the necessity of maintaining the rate of 20 dollars on the tobacco of the provinces of Habana and pinar del Rio do not concur with respect to the tobacco grown in those of Matanzas,Santa Clara and puerto Principe,owing to its quality which is not suitable nor convenient to be employed in the manufacture of the tobacco called Habano,of universal renown,and which has made competition impossible in the markets of the world. The tobacco grown in the said provinces is planted and cultivated for exporting purposes,but owing to its conditions and in order that it may compete with advantage in foreign markets the rate of $20 per 100 kilos cannot be maintained respecting same. Circumstances,among which is that of Y.E.having induced the agri-

culturists of said provinces to foster this source of wealth, counsel the maintenance of the quota designated by the Tariff of 1892 on this kind of tobacco, making no distinction regarding wrapper or filler, not only because this would create a difficulty and an additional burden to the regular quota, but because of the impossibility and serious damages which would arise from the examination of the bales or packages ready for shipment, and the present lack of official measures for the performance of such an examination in a technical manner.

And the necessity of establishing differential quotas on tobacco, according to the region where it is cultivated, maintaining that of $20 of the existing tariff for the tobacco of the provinces of Habana and Pinar del Rio, and that of $6.30 for the tobacco of Matanzas, Santa Clara and Puerto Principe with exclusion in the latter case of the additional duty on wrapper, until the Council of Administration, which is to be established in accordance with the Basis of the 4th March last, resolves definitely whatever it may deem convenient regarding the matter, also reveal the necessity of maintaining in force the Decree of the 16th May and its regulations to avoid that tobacco of Habana and Pinar del Rio be carried to other ports of the Island and be exported thence with serious damage to the industries of the country and with prejudice by fraud, to the interests of the Treasury.

By reason of which the undersigned Intendant General of Finance, in view of the authorization granted to Y.E. by the Government of H.M. to suspend the tariff quota ruling in the exportation of tobacco cultivated in the provinces of Habanas, Santa Clara and Puerto Principe and the reasons above stated, has the honor to submit to Y.E. the following project of law.

Habana, 25th September, 1897.

EMILIO FAGOAGA.

D E C R E E .

In view of the considerations set forth in the preceding preamble by the Intendancy General of Finance, and in exercise of the authorization granted to me by the Government of H.M., by telegram of the 19th instant, I hereby decree as follows:

ARTICLE 1st:- The prohibition to export leaf tobacco produced in the provinces of Habana and Pinar del Rio, known by the name of Vuelta Abajo and Partido tobacco, as decreed by the Decree (Bando) of the 16th May, shall hereby remain in force.

ARTICLE 2nd:- With respect to that of the provinces of Matanzas, Santa Clara and Puerto Principe, its exportation is hereby authorized in the form provided by the Regulations dictated for the compliance of the said Decree, the duties designated by the Tariff of 1892 ruling in regard to the aforesaid article, without distinction of wrapper or filler, until the Council of Administration, which is to be established in accordance with the Basis of the 4th March last, shall definitely determine whatever it may deem convenient regarding the matter.

ARTICLE 3rd:- Upon the expiration of the present year the Intendancy General of Finance shall make an investigation respecting the advantages or disadvantages which the exportation of leaf tobacco produced in the two mentioned provinces of Habana and pinar del Rio may cause to Agriculture, Industry, Commerce, and to the Treasury.

To take part in said investigation shall be invited the Chamber of Commerce, Board of Planters, Tax payers League, Union of Cigar Manufacturers, Guilds of warehouse owners and exporters, the municipalities of the regions producing said tobacco, the Civil Governors and Collectors of Customs of the provinces

referred to, as well as all other guilds connected with the production of tobacco, and private persons who may be able to contribute with their opinion to the ends of the above mentioned report.

Habana, 26th September, 1897.

VALERIANO WEYLER.

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Enclosure No.

With Despatch No.

H A B A N A , September 29th,1897.

GACETA DE LA HABANA

Intendencia general de Hacienda.

EXPOSICIÓN

Excmo. Sr.:—El impuesto de 20 pesos que para cada cien kilos de tabaco en rama del cosechado en las provincias de esta Isla, excepción hecha de la de Santiago de Cuba, establece la nuevas tarifas arancelarias, con la nota preceptiva de recargar aquel en 100 por 100, si la rama fuera capa ó en cada bulto, fardo ó lote resultase ésta en proporción superior al diez por ciento, ha sugerido en muchos la creencia de que la cuantía del referido impuesto y sus condiciones de aplicación, le dan un carácter de prohibitivo, derogando implícitamente el Bando de V. E. de 16 de Mayo de 1896.

A juicio del Intendente que suscribe, precisamente lo que aquí ha surgido con la publicación del nuevo Arancel, es un problema, en cuya solución ha de intervenir en primer término la declaratoria de que continúa vigente en todos sus extremos el Bando referido y reglas dictadas para su cumplimiento.

La cosecha del tabaco de Vuelta Abajo, en 1896, fué destruida casi en su totalidad; la de 1897 puede estimarse en unos 40 ó 45 mil tercios, de los que la mitad, según informes autorizados, habrá que destinarla á picadura por su condición y calidad, quedando reducida la cosecha de tabaco útil para la fabricación, á unos 20 ó 25 mil tercios, cantidad á todas luces insuficiente para cubrir siquiera las necesidades de las diez principales fábricas de la Habana que consumen de 4 á 5 mil tercios cada una.

Por elevado, pues, que sea el impuesto, por garantías que se adopten para que no se eluda su aplicación, si se derogara el Bando de 16 de Mayo y se levantase la prohibición de exportar el tabaco de Vuelta Abajo, éste buscaría inmediatamente el mercado extranjero, donde le atraen poderosos intereses creados antes de la publicación del Bando de V. E., y aquí surgirían entonces, como consecuencia, perjuicios irreparables para las industrias del país, con la grave y dolorosa secuela de una crísis obrera.

Es evidente, pues, la conveniencia de mantener subsistente el Bando y sus reglas, por lo menos hasta que conocida la cosecha de 1897 á 1898 pueda abrirse una información amplia en la que intervengan las fuerzas vivas del país, sobre las ventajas é inconvenientes que á la Agricultura, á la Industria, al Comercio y al Tesoro pueda ó no reportar la exportación del referido tabaco.

Pero las circunstancias, las razones que evidencian la necesidad de mantener la cuota de 20 pesos para el tabaco de las provincias de la Habana y Pinar del Río, no concurren en cuanto al tabaco cosechado en las de Matanzas, Santa Clara y Puerto Príncipe, cuya calidad no le hace á propósito para ser empleado, ni aun sería conveniente emplearlo en la fabricación del tabaco llamado habano, cuyo renombre es universal y cuya competencia por sus similares hasta ahora ha sido imposible en los mercados del mundo. El tabaco cosechado en las provincias dichas, se siembra y se cosecha para ser exportado, pero por sus condiciones, para luchar con ventaja en los mercados extranjeros, no puede mantenerse respecto al mismo la cuota arancelaria de 20 pesos para cada cien kilos. Aconsejan

las circunstancias, entre las cuales está haber inducido V. E. mismo á los agricultores de las expresadas provincias, fomentar esta riqueza, el mantener la cuota que señala á esta clase de tabaco el Arancel de 1892, sin hacer distinción de capa ó tripa, no solo porque esto crearía una dificultad y un recargo á la cuota arancelaria, sino por la imposibilidad material y graves perjuicios que se originarían al practicarse reconocimientos en tercios ó fardos acondicionados ya para el embarque, y la carencia de medidas oficiales en la actualidad, para realizar aquel reconocimiento de un modo técnico.

Y precisamente la necesidad de establecer diferentes cuotas para el tabaco, según la región donde sea cosechado, manteniendo la de $20 de las vigentes tarifas arancelarias para el de las provincias de la Habana y Pinar del Río, y la de $6'30 para el de las de Matanzas, Santa Clara y Puerto Príncipe con exclusión en éstas de recargo por capa, hasta que constituído el Consejo de Administración que ha de establecerse con arreglo á las bases de 4 de Marzo último, resuelva en definitiva lo que estime conveniente sobre el particular, revelan también la necesidad de declarar la subsistencia del Bando de 16 de Mayo y sus Reglas para evitar que el tabaco de la Habana y Pinar del Río pueda llevarse á otros puertos de la Isla y ser exportado al extranjero con grave daño de las industrias del país y perjuicio por el fraude, de los intereses del Tesoro.

Por todo lo cual el Intendente general de Hacienda que suscribe, vista la autorización concedida á V. E. por el Gobierno de S. M. para suspender la cuota arancelaria que rije en la exportación del tabaco cosechado en las provincias de Matanzas, Santa Clara y Puerto Príncipe y las razones expuestas, tiene el honor de someter á la aprobación de V. E. el siguiente proyecto de decreto.

Habana, 25 de Septiembre de 1897.—*Emilio Fagoaga.*

DECRETO

En atención á las consideraciones expuestas en el anterior preámbulo por la Intendencia general de Hacienda, y en uso de la autorización que por el Gobierno de S. M. se me concede en telegrama de 19 del corriente mes, vengo en decretar lo siguiente:

Artículo 1.° Queda subsistente la prohibición de exportar tabaco en rama producido en las provincias de la Habana y Pinar del Río conocido por los nombres de tabaco de Vuelta Abajo y Partido, según lo dispuesto por el Bando de 16 de Mayo de 1896.

Artículo 2.° En cuanto al de las provincias de Matanzas, Santa Clara y Puerto Príncipe queda autorizada la exportación en la forma que determinan las Reglas dictadas para el cumplimiento del aludido Bando, rigiendo para dicho artículo los derechos que señalaba el Arancel de 1892, sin distinción de capa ó tripa, hasta que constituído el Consejo de Administración que ha de establecerse con arreglo á las Bases de 4 de Marzo último, resuelva en definitiva lo que estime conveniente sobre el particular.

Artículo 3.° Al terminar el año actual se abrirá por la Intendencia general de Hacienda una información sobre las ventajas ó inconvenientes que á la Agricultura, á la Industria, al Comercio y al Tesoro, pueda reportar la exportación del tabaco en rama que se produzca en las dos mencionadas provincias de la Habana y Pinar del Río.

A esta información serán invitados la Cámara de Comercio, Junta de Hacendados, Liga de contribuyentes, Unión de Fabricantes de tabacos, gremios de almacenistas y exportadores, las municipalidades de las regiones productoras, los Gobernadores civiles y Administradores de Hacienda de las citadas provincias, así como los demás gremios que se relacionan con la producción del tabaco y particulares que con su opinión puedan contribuir á los fines de la mencionada información.

Habana, 25 de Septiembre de 1897.

Valeriano Weyler.

FILE

No.6 6 0.



Habana September 30th.1897.

Mr.SPRINGER

to the Department of State.

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Confirming telegram.

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No.6 6 0.

Habana September 30th.1897.

Honorable William R. Day,

Assistant Secretary of State,

Washington.

Sir:-

With reference to the Department's No.467,of the 21st. instant,relative to the case of PEDRO MANUEL HERNANDEZ,imprisoned at Guines,and my despatch No.646,of the 7th.instant, respecting his case,I have to confirm my telegram of yesterday's date,reading:-

Habana September 29.1897
Assistant Secretary State,Washingtoh.
Pedro Manuel Hernandez Montes,arrested Guines,released.
(signed) Springer.

This information has not yet been officially communicated to this office.

I am,Sir,

Your obedient servant,

Joseph A. Springer

Vice Consul General.

Copy.

CONSULAR BUREAU.
NOTED AND PUBLISHED.
Acknowledged OCT 11 1897

661

Sent to press
Cons. Bureau

No.661.

INDEX BUREAU RECD. OCT 6 1897 DEPT. of STATE

HABANA September 30.1897.

Mr.SPRINGER

to the J. Reed & A. Hearn, Ogden, Utah. Nov. 2 '97. Referred to Nov. 2, 97.

3rd. ASST. SECRETARY OCT 8 1897

Department of State.

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Announcing the death of the American citizen,Mr.George Samuel Newton.

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Took back by messenger C

24

No.6 6 1.

Habana September 30.1897.

Honorable William R. Day,

Assistant Secretary of State,

Washington.

Sir:-

I have to inform the Department that Mr.GEORGE SAMUEL NEWTON a young American,formerly a watchmaker of this city, who was wounded and captured by Spanish troops near Baracoa in Pinar del Rio Province,in August last,died in this city yesterday morning from the effects of his wounds and fever.

I have also given the above information to his father living in Caracas,and mother,a resident of Ogden,Utah.

I am,Sir,

Your obedient servant,

Josiah D. Springer

Vice Consul General.

No. 6 6 2.

Dept. State, Treasury
OCT 11 1897

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OCT 8 1897
DEPT. OF STATE

U. S. CONSULATE GENERAL.

HABANA, October 2.1897.

Mr. LEE SPRINGER,

TO THE

DEPARTMENT OF STATE

Visas to Chinese Certificates.

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No. 6 6 2.

U. S. CONSULATE GENERAL.

HABANA, October 2.1897.

Honorable William R. Day,

Assistant Secretary of State,

Washington.

Sir:-

In accordance with paragraph 373 of Consular Regulations, and with reference to instructions Nos.384 and 470,June 25th. and September 25th.respectively,I have the honor to trahsmit herewith,as per enclosures in duplicate,list of the certificates issued to Chinese subjects of the exempt class, visaed at this office to entitle them to admission into the United States,and the evidence respecting each visa.

I am,Sir,

Your obedient servant,

Vice Consul General.

Enclosure :-

List as above.

Enclosure No.1.

With Despatch No.662.

Habana Oct.2.1897.

U.S.Consulate General,Habana,

October 2.1897.

LIST of CERTIFICATES of CHINESE,visaed at this office to entitle them to admission into the United States.

Visa No.402. FONG FUNG. 33 years. merchant.

Upon the affidavit of Lee Hong,manager and member of Sang Chong & Co.28 Mott St.N.Y.before Charles Spence ,Notary Public,Aug.21.1897and visaed by Thos.J. Dunn,Deputy Collector of Customs.
Certificate issued by Chinese Consul General,and visaed by Regional Government ,Habana.

Visa No.403. JUNG AH. 28 years. merchant.

Upon affidavit of Ing Ging,member of the firm of Yee Hing Lung & Co.68 Bayard St.New York,before Walter E.Bird,Notary Public,May 26.1897,and visaed by Thos J.Dunn,Deputy Collector of Customs,New York.
Certificate issued by Chinese Consul General,and vised by Regional Government,Habana.

The foregoing two Chinese sailed by the S.S."Seguranca"Sept. 30th.,bound for New York.

Visa No.404. WONG SING. 3L years. merchant.

Upon affidavit of Young Lock,managing partner of firm of Kwong Chin Chong & Co.2 Mott St.N.Y.before Frank Aiello ,Notary Public,July 12.1897,and visaed by D.G.Hawthorne,Deputy Collector of Customs,New York.
Certificate issued by Chinese Consul General,and visaed by Regional Government,Habana.

Visa No.406. YOUNG WING. 28 years. merchant.

Upon affidavit of YOUNG LOCK,managing partner of firm of KWONG CHING CHUNG & Co.2 Mott St.New York, before Frank Aiello,Notary Public July 12.1897,and visaed by Thos.J.Dunn,Deputy Collector of Customs,New York.
Certificate issued by Chinese Consul General,and visaed by Regional Government,Habana.

The foregoing two Chinese will proceed to New York by the S.S. "Yucatam" leaving today.

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ack & file

ASSISTANT SECRETARY
OCT 12 1897
DEPARTMENT OF STATE.

No. 663.

U. S. CONSULATE GENERAL.

INDEX BUREAU
RECD
OCT 11 1897
DEPT OF STATE

HABANA, October 4th, 1897.

Federico P. Montes
1021 Enterprise Ave.
Ybor City, Fla.

Ack.d From.
To F. P. Montes.
OCT 14 1897

MR. SPRINGER

TO THE

DEPARTMENT OF STATE.

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Release of PEDRO MANUEL HERNANDEZ, an American citizen, under arrest in Guines.

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1 Enclosure.

No. 663.

U. S. CONSULATE GENERAL.

HABANA, October 4th, 1897.

Hon. William R. Day ,

Assistant Secretary of State,

Washington.

Sir:

With reference to my despatch No.660, of September 30th, relative to the release of the American citizen, Pedro Manuel Hernandez, imprisoned at Guines, I have now the honor to transmit a copy translation of the official notification to this office of his release.

I am, Sir, your obedient servant,

Vice Consul General.

1 Enclosure: The Captain General to the Consul General.

Enclosure No.1.

With Despatch No. 163.

H A B A N A , October 4th 1897.

TRANSLATION.

GENERAL GOVERNMENT OF THE ISLAND OF CUBA.

In continuation of my communication of the 6th September last I have the honor to inform you that the Fiscal (Prosecutor) of this Superior Court (Audiencia) communicates to me that on the 28th of same month the Court of Instruction of Güines ordered the release of Don Pedro Manuel Hernandez, under the obligation that he presents himself in said Court on the 15th and 30th of each month.

God guard you many years. Habana, 2 October, 1897.

(Signed) Valeriano Weyler.

To the Consul General of the United States at Habana.

2 COPIAS

ASSISTANT SECRETARY
OCT 12 1897
DEPARTMENT OF STATE.

No. 664.

U. S. CONSULATE GENERAL.

INDEX BUREAU
RECD.
OCT 11 1897
DEPT. OF STATE

HABANA, October 5th, 1897.

Ack'd by form.
OCT 15 1897

Mr. SPRINGER

to the

DEPARTMENT OF STATE.

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Relative to ALFRED LABORDE.

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1 Enclosure.

No.664.

U. S. CONSULATE GENERAL.

HABANA, October 5th,1897.

Honorable William R.Day,

Assistant Secretary of State,

Washington.

Sir:

Upon the statement of Colonel Eduardo Laborde,the father of ALFRED LABORDE,one of the "Competitor" prisoners confined in the Cabaña fortress,that his son had had another attack in said prison,which had left him half paralysed,and his urgent request that this office should ask the Captain General to allow his son's transfer from the unhealthy and damp casemate he occupies in said fortress to the special apartment (sala de distincion) of the public jail,where he could receive better care and even medical treatment,I addressed an official communication to the Captain General on the 20th September last, making said request. I have received His Excellency's answer dated the 2nd instant,of which I enclose translation,refusing to allow said transfer.

I am,Sir,your obedient servant,

Joseph A. Springer

Vice Consul General.

1 Enclosure: The Captain General to the Consul General.

Enclosure No.1.

With Despatch No. 664

HABANA, October 5th 1897.

TRANSLATION.

GENERAL GOVERNMENT OF THE ISLAND OF CUBA.

In answer to your courteous communication of the 20th September last, in which you request, in the name of the family of Mr. Alfredo Laborde, imprisoned in fort "Cabaña" in view of the cause instituted aginst him because of the capture of the schr. "Competitor", that said person be removed to the jail of this city during the illness which he now suffers, I have the honor to inform you: that I do not consider necessary the transfer requested because the prisoners in the jail do not enjoy any medical attendance, inasmuch as they are removed to the hospital when ill; that on different occasions the said Laborde has been removed from fort "Cabaña" to the hospital on account of his health, in which he has been attended until his recovery, having enjoyed there medical care, which he would now enjoy again, without having any necessity of being transferred to the jail; that for identical reasons the same request has been denied to other prisoners; that the "Cabaña" forthhas the benefits of ventilation and other hygienic conditions which make it a place where satisfactory state of health can be maintained; and finally this Government interests itself in procuring that all prisoners be attended with the best care in favor of their welfare.

God guard you many years. Habana, 2 October, 1897.

(Signed) Valeriano Weyler.

To the Consul General of the United States at Habana.

Consular Bureau

No. 665.

ANSWERED Form. COPY TO Matanzas OCT 16 1897

U.S. CONSULATE GENERAL.

RECEIVED CONSULAR BUREAU OCT 12 1897 DEPT. OF STATE

HABANA, October 7th, 1897.

3rd. ASST. SECRETARY. OCT 15 1897

Mr. SPRINGER

to the

DEPARTMENT OF STATE.

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Relative to the case of the American citizen Mr. EMILIO DOMINGUEZ y GENER and wife, arrested at Matanzas.

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1 Enclosure.

No. 665.

U. S. CONSULATE GENERAL.

HABANA, October 7th,1897.

Honorable William R.Day,

Assistant Secretary of State,

Washington.

Sir:

With reference to despatch from this office number 612 of the 11th August last,confirming telegram of previous day reporting arrest at Matanzas of the American citizen Mr.EMILIO DOMINGUEZ y GENER and wife,I have now the honor to enclose translation of a communication from the Captain General advising me that he has waived the cognizance of the case in favor of the proper Civil court of Matanzas.

I am,Sir,your obedient servant,

Joseph A. Springer

Vice Consul General.

1 Enclosure: The Captain General to the Consul General,Oct.6.

Enclosure No.1.

With Despatch No.665.

H A B A N A , October 7th,1897.

TRANSLATION.

ARMY OF THE ISLAND OF CUBA. STAFF.

In accordance with my Judge Advocate of War (Auditor de Guerra) I have under this date inhibited myself in favor of the proper Court of Instruction of Matanzas the cognizance of the cause instituted for the crime of rebellion against the American citizen and so-called insurgent colonel Don EMILIO DOMINGUEZ GENER and his wife Doña PILAR GONZALEZ DE DOMINGUEZ.

I communicate to you the above for your information.

God guard you many years.

Habana,October 6th,1897.

(Signed) Valeriano Weyler.

To the Consul General of the United states at Habana.

Enc.

No. 666.

U. S. CONSULATE GENERAL.

INDEX BUREAU
REC'D.
OCT 14 1897
DEPT. OF STATE

HABANA, October 9th.1897.

Mr. LEE

Dup. Enc. to Treasy

Acknowledged. Form.
to Treasy
OCT 18 1897

Treasury

TO THE

DEPARTMENT OF STATE

Visas to Chinese Certificates.

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Two enclosures.

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No. ~~6 6~~ 6.

U. S. CONSULATE GENERAL.

HABANA, October 9th.1897.

Honorable William R. Day,

Assistant Secretary of State,

Washington.

Sir:-

In accordance with paragraph 373 of Consular Regulations, and with reference to instruction Nos.384 and 470,June 25th. and September 25th.respectively,I have the honor to transmit herewith,as per enclosure in duplicate,list of the certificates issued to Chinese subjects of the exempt class,visaed at this office to entitle them to admission into the United States, and the evidence respecting each visa.

I am,Sir,

Your obedient servant,

Joseph A. Springer

Vice Consul General.

Two enclosures.

Enclosure No.1.

With Despatch No.6 6 6.

Habana October 9th.1897.

U.S.Consulate General,Habana,

October 9th.1897.

LIST of CERTIFICATES of CHINESE,visaed at this office to entitle them to admission into the United States.

Visa No.405. LEE BOCK. 18 years. student.

Upon affidavit of Lee B.Lok,managing partner of Sun Kwong On & Co.21 Mott St.New York,before Frank Aiello,Notary Public July 30/'97: and visaed by Thos J.Dunn,Deputy Collector of Customs,New York.

Visa No.407. LEE DOY. 19 years. student.

Upon affidavit of Sang Chong & Co.28 Mott St.N.Y.before Frank Aiello,Notary Public July 31/'97: and visaed by Thos. J.Dunn,Deputy Collector of Customs,New York.

Visa No.411. Dr.JOE WING. 28 years. physician & student.

Upon affidavit of Chin Yow,member of firm of Wing Chong On & Co.22 Pell St.N.Y.before John G.Ritter,Notary Public,Aug.3.1896,and visaed by Thos J.Dunn,Deputy Collector of Customs,New York.

Visa No.413. YU KAM YON. 48 years. merchant.
or FERNANDO MORALES.

Vouched for by the Chinese Consul General,and personally known to this office as a merchant established in this city.

Visa No.414. LUM CHOI MOW. 28 years. merchant.
or JUAN LUIS.

Certificate issued by the Chinese Consul General,and visaed by the Regional Government,Habana,also by this office as in transit to Hong Kong.

Visa No.417. JOW SUEY WAH. 39 years. merchant.

Upon affidavit of Jung Tom,managing partner of Chew Chong Wing & Co.906 Race St.Philadelphia,before B.R.Zietz,Notary Public Aug.4/(1897): and visaed by Deputy Collector of Customs of the port of Philadelphia.

Visa No.418. JOW SUEY WOON. 26 years. merchant.

Upon affidavit same as previous visa - No.417.

Visa No.419. LEE JIN. 34 years. merchant.

Upon affidavit of Ah Foon,managing member of Quong On Co. 11 Pell St.New York,before James A.Donegan,Notary Public August 10th.1897,and visaed by Thos J.Dunn,Deputy Collector of Customs,New York.

Visa No.421. LEE SEE. 24 years. merchant.

Upon affidavit of Lee Youy Ling,managing partner of firm of oQUON ON Co.11 Pell St.N.Y.before James A.Donegan, Notary Public August 10/'97: and visaed by Thos J.Dunn, Deputy Collector of Customs,New York.

Visa No.422. LOW CHUNG. 26 years. merchant.

Upon affidavit of Chu Moy Yen,manager of firm of Shem Hee Yee Co.15 Doyers St.N.Y.before A.M.Sares,Notary Public,August 4/'97: and visaed by D.G.Hawthorne,Deputy Collector of Customs at New York.

Visa No.424. NG HONG SHING. 30 years. merchant.

Upon affidavit of Chu Jung,manager of San Lang Co.60 West 125th.New York,before J.H.Gardener,Notary Public November 14/'95: and visaed by Thos J.Dunn,Deputy Collector of Customs,New York City.

Visa No.425. Tam King. 25 years. merchant.

Upon affidavit of Lee Hong,managing partner of firm of Sang Chong & Co.28 Mott St.New York,before Walter E.Bird, Notary Public July 29/'97: and visaed by Thos.J.Dunn, Deputy Collector of Customs of the Port of New York.

The foregoing Twelve Chinese presented certificates issued by the Chinese Consul General,visaed by the Regional Government Habana.

The said Chinese sailed on the 7th.instant,by the "Concho" bound to New York.

Visa No.412. LUNG GOCK. 26 years. merchant.

Upon affidavit of Chung Pun Sing,managing partner of Kim Sin Low & Co.16 Pell St.New York,before J.H.Gardiner Notary PublicMarch 24/'97: and visaed by D.G.Hawthorne, Deputy Collector of Customs,New York.

Visa No.415. CHUNG AH NOI. 16 years. student.

Upon affidavit of Chung Shank,merchant and managing partner of firm of C.Shank & Co.,and Kwong Luag Jin & Co.22 Mott St.N.Y.before A.M.Sares,Notary Public Sept.14/'97: and visaed by Thos.J.Dunn,Deputy Collector of Customs,N.Y.

Visa No.416. LEUNG MOW. 32 years. merchant.

Upon affidavit of Young Lock,member of firm of Choy Chong Woh & Co.19 A.Mott St.New York,before Frank Aiello,Notary Public June 7/'97: and visaed by Thos.J.Dunn,Deputy Collector of Customs,New York.

Visa No.420. LEE CHOY. 25 years. merchant.

Upon affidavit of Lee Yick Yow,managing partner of Wing Woh Chong & Co.34 Pell St.N.Y.before Jacob Finkelstein, Notary Pub.July 26/'97: and visaed by T.J.Dunn

Visa No.426. LEONG KIN. 37 years. merchant.

Upon affidavit of Ho Pooh,managing partner of Quong Yuen Shung & Co.5 Mott St.N.Y.before Walter E.Bird,Notary Public,July 27/'97attested by Clerk of Supreme Court,and visaed by Thos.J.Dunn,Deputy Collector of Customs,N.Y.

Visa No.427. LOY POOK SING. 23 years. actor.

Upon affidavit of Lee Quay,manager of Chinese Concert Co. 507 Doyer St.New York.before Samuel Newmark Aug.10/'97: attested by Clerk of Supreme Court,and visaed by Thos. J.Dunn,Deputy Collector of Customs,New York.

Visa No.428. LEE CHOY 43 years. merchant.

Upon affidavit of Lee Sing,managing partner of Quong Sing Tai & Co.925 Race St.Philadelphia,before B.R.Zietz,Notary Public,and visaed by Deputy Collector of Customs,Phila.

Visa No.429. LEE CHOY. 44 years. merchant.

Upon affidavit of Chung Hong,managing partner of the firm of Kwong Lung Jai & Co.22 Mott St.N.Y.before Francesco Tocci,Notary Public Aug.17/'97attested by Clerk of Supreme Court,and visaed by Thos.J.Dunn,Deputy Collector of Customs,New York.

Certificates issued by the Chinese Consul General,and visaed by the Regional Government,Habana.

They will sail by steamship "Seneca" leaving today for New York.

No. 667.

Acknowledged.
OCT 23 1897

U. S. CONSULATE GENERAL.

HABANA, October 9th, 1897.

INDEX BUREAU
RECD.
OCT 16 1897
DEPT. OF STATE

2D ASSISTANT SECRETARY.
OCT 22 1897

[Chaqueilo's citizenship has been heretofore established and does not need this confirmation.-]

Mr. SPRINGER

to the

DEPARTMENT OF STATE.

---------o---------

Relative to MANUEL FERNANDEZ CHAQUEILO ,a prisoner in fort "Cabaña".

---------o---------

1 Enclosure.

No. 667.

U. S. CONSULATE GENERAL.

HABANA, October 9th,1897.

Hon.William R.Day,

Assistant Secretary of State,

Washington.

Sir:

I have the honor to enclose herewith the translation of a letter received from MANUEL FERNANDEZ CHAQUEILO,a prisoner in fort "Cabaña,whose case has already been reported to the Department.

I am,Sir,your obedient servant,

Vice Consul General.

1 Enclosure: Mr.pernandez Chaqueilo to the Consul General.

CRANE'S

Enclosure No.1.
With Despatch No.667
H A B A N A , October 9th,1897.

TRANSLATION.

Fortress "Cabaña",Oct.8th,1897.

To the Consul General of the United States at Habana.

Sir:

I attained my majority day before yesterday,that is to say the 21 years of age provided by the law to take naturalisation papers in the United States,and as it has been proved that my father during my trial had accepted in my name the citizenship of said Republic,because he has been a citizen of same for a long time,I inform you of the fact for whatever course you may deem convenient to take in the premises.

I am,Sir,your obedient servant,

(Signed) Manuel Fernandez Chaqueilo.

CRANE'S

file

No. 668.

U. S. CONSULATE GENERAL.



HABANA, October 9th, 1897.

Mr. SPRINGER

to the

DEPARTMENT OF STATE.

----------o----------

Relative to ALFRED LABORDE.

----------o----------

No. 668.

U. S. CONSULATE GENERAL.

HABANA, October 9th,1897.

Honorable William R.Day,

Assistant Secretary of State,

Washington.

Sir:

I have the honor,in acknowledgement of the Department's instruction number 472,of the 28th ultimo,with enclosure of a letter from Mrs.Emma Laborde,to say that I already had anticipated the instruction to do what was possible for Mr.Laborde, her husband, formerly master of the Schr."Competitor", now confined in the "Cabaña"fortress,and reported my action in despatch No.668 of the 5th instant.

I do not see that this office can do more in his behalf unless more powerful influence is invoked.

I am,Sir,your obedient servant,

Joseph A. Springer

Vice Consul General.

DEPT. OF STATE
OCT 12, 2.49 PM 1897
DIF. CLKS. OFFICE
RECEIVED

Arrab + Barrack 6

21 Act Oct 12

TELEGRAM RECEIVED.

Confid Oct 15

From Havana

Oct 12, 1897.

Received 2 45 PM.

Asst Secy State
Washington DC

Consular Clerk Rockwell regulate leave absence thirty days permission visit United States Ill Health. approved

Springer

Granted
Adler

FILE

No. 669.

U. S. CONSULATE GENERAL.

INDEX BUREAU
REC'D.
OCT 16 1897
DEPT. of STATE

HABANA, October 13.1897.

Mr. LEE SPRINGER

TO THE

DEPARTMENT OF STATE

Confirming telegrams.

----------0----------

No. 669.

U. S. CONSULATE GENERAL.

HABANA, October 13.1897.

Honorable William R. Day,

Assistant Secretary of State,

Washington.

Sir:-

I have the honor to confirm my telegram of yesterday, reading:-

Habana,October 12.1897.

Assistant Secretary State,Washington.

Consular Clerk Rockwell requests leave absence, thirty days. Permission visit United States. Ill health. Approved.

(signed) Springer.

and to acknowledge the receipt of your telegram:-

Washington,October 12.1897.

American Consul,Habana.

Leave granted Rockwell.

(signed) Cridler.

I am,Sir,

Your obedient servant,

Joseph H. Springer

Vice Consul General.

No. 670.

U. S. CONSULATE GENERAL.

HABANA, October 13th, 1897.

INDEX BUREAU
REC'D.
OCT 16 1897
DEPT of STATE

Acknowledged.
T. Holaw Mayolini
OCT 23 1897

Mr. SRRINGER

to the

DEPARTMENT OF STATE.

---------o---------

Relative to LOUIS MAYOLINI, subject of Department's instruction No.473, of the 4th instant.

---------o---------

No.670.

U. S. CONSULATE GENERAL.

HABANA, October 13th,1897.

Honorable William R.Day,

Assistant Secretary of State,

Washington.

Sir:

In acknowledgement of the Department's instruction number 473,of October 4th,received to-day,with copy of a letter from Miss Helen Mayolini,of New York,regarding the reported arrest and imprisonment of her brother LOUIS MAYOLINI,I have the honor to inform the Department that Mr.LOUIS MAYOLINI,who had been operating with the insurgents under Nestor Aranguren, presented himself to the Spanish authorities or surrendered,at Jaruco on the 19th September last,and was immediately released.

This Mayolino is a citizen of the United States who was arrested at Santa Clara in 1894,and whose case was reported to the Department in despatches Nos.2304,2314,2315 of Aug.14,22 and 25,and 2340,of Sept.22,1894.

He was furnished transportation by this office under the Cuban Relief Fund in the steamer "Yumuri" bound to New York on the 23rd September last.

I am,Sir,your obedient servant,

Vice Consul General.

2D ASSISTANT SECRETARY,
Ack and approve.
OCT 21 1897

No. 671.

U. S. CONSULATE GENERAL.

INDEX BUREAU
RECD.
OCT 19 1897
DEPT. OF STATE

HABANA, October 16th, 1897.

16

Mr. SPRINGER

to the

DEPARTMENT OF STATE.

Ans
10/22/97

----------o----------

Respecting cattle belonging to the American citizen Mr. PEDRO ANTONIO RODRIGUEZ, of Sagua.

----------o---------

1 Enclosure.

copied

No. 671.

U. S. CONSULATE GENERAL.

HABANA, October 16th, 1897.

Honorable William R. Day,

Assistant Secretary of State,

Washington.

Sir:

With reference to the Department's instruction No. 469, of the 23rd ultimo, I have the honor to transmit a copy-translation of the official communication addressed to the Governor General on the 14th instant, respecting cattle belonging to the American citizen Mr. PEDRO ANTONIO RODRIGUEZ, of Sagua, and the notification made him by the Alcalde of said place, that his cattle was subject to requisition; an order in direct violation of the treaty between the United States and Spain.

I am, Sir, your obedient servant,

Joseph T. Springer

Vice Consul General.

1 Enclosure: Mr. Springer to the Governor General, Oct. 14th.

Enclosure No.1
With Despatch No. 671
HABANA, October 14th, 1897.

Copy.

U.S.CONSULATE GENERAL.
HABANA, October 14th, 1897.

To His Excellency the Governor and Captain General of the Island of Cuba.

Excellency:

I have been instructed by the Department of State of the United States to call Your Excellency's attention to the case of Mr.Pedro Antonio Rodriguez, a citizen of the United States resident in Sagua, who has been recently notified by the Alcalde of said place, by an order based upon Y.E.'s proclamation of the 14th August last, that all horned cattle in the district, except three classes mentioned in the order, are subject to requisition, and that the cattle owned by him are also subject to said order but would be allowed to remain in his possession at the disposal of the Alcalde.

This order of the Alcalde of Sagua is clearly contrary to article Vll, of the treaty of 1795, between the United States and Spain, which, in part, reads as follows:

Art.Vll:- And it is agreed, that the subjects or ci-
"tizens of each of the contracting parties, their vessels
"or effects, shall not be liable to any embargo or deten-
"tion on the part of the other, for any military expedi-
"tion or other public or private purpose whatever".

I trust that Your Excellency will give your superior orders in this case, that the property of American citizens

in this Island shall be respected, and receive the protection to which it is entitled by law and under the treaty.

I am, Sir, your obedient servant,

(Signed) Joseph A. Springer,

Vice Consul General.

672 File

No. 672.

U. S. CONSULATE GENERAL.

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RECD.
OCT 19 1897
DEPT. OF STATE

HABANA, October 16th, 1897.

16

Mr. SPRINGER

to the

DEPARTMENT OF STATE.

----------o----------

Seizure of cattle belonging to the American citizen Mr. FRANCISCO L. del VALLE.

----------o----------

2 Enclosures.

Copied

No.672.

U. S. CONSULATE GENERAL.

HABANA, October 16th,1897.

Honorable William R.Day,

Assistant secretary of State,

Washington.

Sir:

With reference to despatch No.657,of the 25th September, and the Department's instruction No.471,of the same date,respecting the seizure by the Spanish authorities of cattle belonging to the American citizen Mr.FRANCISCO L.del VALLE,in the districts of Sancti Spiritus and Ciego de Avila,I have the honor to transmit herewith a copy of a letter confirmatory of the facts,and copy of the official communication addressed to the Governor General on the 14th instant,protesting against such acts of the Spanish authorities,as being in direct violation of treaty rights and specially of art.VII of the treaty of 1795.

1/2

Np reply has yet been received.

I am,Sir,your obedient servant,

Joseph A. Springer

Vice Consul General.

2 Enclosures: Mr.Springer to Mhe Captain General,Oct.14th.

Letter of Mr.Mdrigal.

Enclosure No. 1

With Despatch No. 672

Habana October 16,1897.

Sancti Spiritus,October 4th.1897.

X X X X X X X X X X X X

X X X X X X X X X X X X

(signed) Rafael Madrigal.

Regarding the seizure of cattle belonging to Mr.FRANCISCO L.del VALLE,an American citizen,I can give the following details.

When I was acting as U.S.Consular Agent here some months ago,I had occasion to be a witness to the seizure of a large number of cattle belonging to said gentleman while I was coming from Tunas.

I know that when Lieutenant Colonel ARMIÑAN was told that said cattle were the property of an American citizen,he answered that that made no difference. In fact it was plainly seen that they even took pains in seizing cattle belonging to Americans. Mr.del VALLE had over 14,000 head of cattle in this district and when he tried to export some he gathered several hundreds of head on a farm near the R.R.station of Zaza from which farm the Government troops took them by force. I know that large numbers of del VALLE's cattle have been seized on defferent occasions and shipped in Tunas. The troops in all cases have prevented any body to approach the cattle to avoid the recognition of marks,putting sentries to guard it. Only last week there were seized and shipped away over 800 head of cattle belonging to Messrs.FERNANDO del VALLE, FRANCISCO del VALLE,MODESTO YSNAGA and RAFAEL REYES,all of them American citizens and well known property holders in this city. In the last two or three months several thousands of head of cattle belonging to said gentlemen and Mr.JOSÉ A.del VALLE have been seized by the Spanish troops.

I have been informed of the fact that in Jucaro the Spanish troops are seizing all the cattle they need from the farms

of Mr.FRANCISCO del VALLE and they refuse even to deliver the hides to the representatives of said gentleman there.

His employees here are not well looked upon by the Spanish authorities here, particularly Mr.PASEAU, a French citizen, and a perfect gentleman.

X X X X X X X X X X X X

(signed) (Rafael Madrigal.)

COPY.

HABANA, October 14th, 1897.

To His Excellency the Governor and Captain General of the Island of Cuba.

Excellency :

It has been reliably represented to this office that Mr.Francisco L.del Valle, a citizen of the United States of America, a resident of this Island is the owner, among other property, of the plantations "Matividad" and "San Fernando", and their grazing farms belonging to them situated in the territorial district of Sancti Spiritus and Ciego de Avila, and is also the owner of the hacienda "Dos Hermanos", in Ciego de Avila. On these farms, Mr.Del Valle has been engaged in the raising and pasturage of cattle and possessed a large number of stock.

It appears, however, that in compliance with the regulations ordered by the Superior Authority of this Island, respecting the requisitions of cattle, the troops of the Government have been engaged in collecting from said farms beeves of this cattle which they rounded up and penned in the towns of Guasimal and Zaza, and afterwards shipped from the port of Tunas de Zaza to Batabano bound for Habana and consigned to the Ayuntamiento or Municipality of this city. A large number of cattle has also been seized and confiscated by the troops of the Government operating in the Ciego de Avila and Moron districts.

All these operations have been effected without the consent of the owner of the cattle, the said Mr.Francisco L del Valle, or of any of his clerks or employees, who, as it is stated, were not permitted to approach the pens or examine the cattle and take full note of their marks and number or without any

omit

Enclosure No. 2.

With Despatch No. 672

H A B A N A , October 18th, 1897.

COPY.

U.S.CONSULATE GENERAL.

HABANA, October 14th, 1897.

To His Excellency the Governor and Captain General of the Island of Cuba.

Excellency :

It has been reliably represented to this office that Mr.Francisco L.del Valle, a citizen of the United States of America, a resident of this Island is the owner, among other property, of the plantations "Natividad" and "San Fernando", and their grazing farms belonging to them situated in the territorial district of Sancti Spiritus and Ciego de Avila, and is also the owner of the hacienda "Dos Hermanos", in Ciego de Avila. On these farms, Mr.Del Valle has been engaged in the raising and pasturage of cattle and possessed a large number of stock.

It appears, however, that in compliance with the regulations ordered by the Superior Authority of this Island, respecting the requisitions of cattle, the troops of the Government have been engaged in collecting from said farms beeves of this class cattle which they rounded up and penned in the towns of Quasimal and Zaza, and afterwards shipped from the port of Tunas de Zaza to Batabanó bound for Habana and consigned to the Ayuntamiento or Municipality of this city. A large number of cattle has also been seized and consumed by the troops of the Government operating in the Ciego de Avila and Jucaro districts.

All these operations have been effected without the consent of the owner of the cattle, the said Mr.Fancisco L del Valle, or of any of his clerks or employees, who, as it is stated, were not permitted to approach the pens or examine the cattle and take full note of their marks and numbers or without any

compensation made to said owner for the cattle.

It is represented that this condition of affairs has existed since the middle of August last, and that since that date there have been brought into Habana, several herds of said cattle branded with the owner's mark (F., the distinctive mark branded upon all cattle belonging to Mr. Francisco L.del Valle.

From private sources and an inspection that has been made in the pens of the Habana Abattoir, it is estimated that from the middle of August last, to date, more than 250 head of cattle the property of the American citizen Mr.Francisco L.del Valle, have been brought to this capital, and disposed of by the city authorities to the benefit of their treasury and to the prejudice of the owner's interests.

Wherefore, Mr.francisco L.del Valle has made representation of these facts in Washington to the Government of the United States and I have recently been instructed by the Department of State to call the attention of Y.E.to the fact that such conduct permitted on the part of the troops under Y.E.'s command is in direct violation of the stipulations of the treaty between the United States and Spain of October, 1795, the seventh article of which reads, in part, as follows:

> Art.VII:- And it is agreed, that the subjects or citizens "of each of the contracting parties, their vessels or "effects, shall not be liable to any embargo or detention "on the part of the other, for any military expedition or "other public or private purpose whatever".

I have, therefore, in obedience to said instructions from my Government to respectfully protest before Y.E.against the seizure of cattle, committed by the troops under your command in violation of the treaty rights and without the consent of, or any compensation therefor to their owner, the American

citizen Mr. Francisco L.del Valle, and to declare that all losses, damages, injuries, costs and charges that have happened to the said Francisco L.del Valle, by reason of the facts as herein set forth, shall be borne by the Spanish Government in the Island of Cuba. I also request Y.E. to order the suspension of the requisition of the cattle belonging to the said American citizen.

I am, Sir, your obedient servant,

(Signed) Joseph A.Springer,

Vice Consul General.

Visas to Chinese certificates.

---

2 Enclosures.

No. 673.

Dup. Enc. to Treasury
Acknowledged Oct 23 1897

U. S. CONSULATE GENERAL.

INDEX BUREAU
REC'D.
OCT 21 1897
DEPT OF STATE

HABANA, October 16,1897.

Mr. SPRINGER

to the

DEPARTMENT OF STATE.

---------o---------

Visas to Chinese certificates.

---------o---------

2 Enclosures.

No. 673.

U. S. CONSULATE GENERAL.

HABANA, October 16th,1897.

Hon William R.Day,

Assistant Secretary of State,

Washington.

Sir:

In accordance with regulations and the Department's instructions I have the honor to transmit herewith ,as per enclsoure in duplicate,list of the certificates issued to Chinese subjects of the exempt class,visaed at this office to entitle them to admission into the United States,and the evidence respecting each visa.

The last five named are in transit for China.

I am,Sir,your obedient servant,

Jonah A. Springer.

Vice Consul General.

2 Enclosures.

Enclosure No.1,

With Despatch No.673.

H A B A N A , October 16th,1897.

U.S.CONSULATE GENERAL.

HABANA,October 16th,1897.

LIST of CERTIFICATES of CHINESE,visaed at this office to entitle them to admission into the United States.

Visa No.430. LUNG KEE. 26 years. Merchant.

Upon affidavit of Chu Fong,amanager of firm of Hop Tai Wo & Co.,20 1/2 Pell street,before John G.Ritter,Notary Public,August 31,1897,and visaed by D.B.Hawthorne,Deputy Collector of Customs,New York.

Visa No.431. LUNG WAH. 27 years. Merchant.

Upon affidavit similar to foregoing,and same date.

Visa No.432. CHIN DEK WING. 23 years. Merchant.

Upon affidavit of Chin Tai Yep,member of the firm of Kwong Ling Lung & Co.,16 Mott st.,New York,before Jas. Callam,Notary Public,September 14,1897,and visaed by Thos J.Dunn,Deputy Collector of Customs,New York.

Visa No.433. GEE LIP GUAU. 25 years. Merchant.

Upon affidavit similar to foregoing,and same date.

Visa No.434. OM MONT SIX. 32 years. Merchant.

Upon affidavit of Chow Wing,managing partner of Fow Yuen & Co.938 Race st.Phila.,before R.R.Zietz,Notary Public, Sept.21,1897,and visaed by the Deputy Collector of Customs Phila.

Visa No.435.	UM MAN YAO.	24 years.	Merchant.
" " 436.	LAM KU.	45 years.	Laborer.
" " 437.	UNG FUNG.	34 years.	do.
" " 438	CHU FAO.	50 years.	do.
" " 439.	MOI YUNG SUM	43 years.	do.

To all the foregoing Chinese certificates have been issued by the Chinese Consul general,which have been duly visaed by

the Regional Government. Habana.

A descriptive list for the last 5 named, has been forwarded to the Collector of Customs, New York.

The above Chinese will sail to-day by steamer "City of Washington".

NEW YORK
1621
CRANE'S

Copy.

Ackert Oct 19 97
Gustave Solomon Bro.
Oct. 19/1897.

INDEX BUREAU
REC'D.
OCT 18 1897
DEPT. OF STATE

3rd. ASST. SECRETARY.
OCT 18 1897

Form No. 3.

CABLE MESSAGE.

THE WESTERN UNION TELEGRAPH COMPANY.

INCORPORATED

All CABLE MESSAGES received for transmission must be written on the Message Blanks provided by this Company for that purpose, under and subject to the conditions printed thereon, and on the back hereof, which conditions have been agreed to by the sender of the following message.

THOS. T. ECKERT, President and General Manager.

DEPT. OF STATE
OCT 18, 4 25 PM 1897
CHF. CLKS. OFFICE
REC'D

TWO AMERICAN CABLES FROM NEW YORK TO GREAT BRITAIN.
CONNECTS ALSO WITH FIVE ANGLO-AMERICAN AND ONE DIRECT U. S. ATLANTIC CABLES.
DIRECT CABLE COMMUNICATION WITH GERMANY AND FRANCE.
CABLE CONNECTION WITH CUBA, WEST INDIES, MEXICO AND CENTRAL AND SOUTH AMERICA.
MESSAGES SENT TO, AND RECEIVED FROM, ALL PARTS OF THE WORLD.

OCT 18 1897

1103 pm

OFFICES IN AMERICA.

All Offices (21,000) of the Western Union Telegraph Company and its Connections.

OFFICES IN GREAT BRITAIN.

LONDON:
No. 24 Royal Exchange, E. C.
No. 109 Fenchurch Street, E. C.

LIVERPOOL: No. 8 Rumford Street.
GLASGOW: No. 29 Gordon St. and No. 4 Waterloo St.
BRISTOL: Backhall Chambers.

NUMBER	SENT BY	REC'D BY	No. OF WORDS.	FROM
312	Gwos		29	Govt Havana

RECEIVED at Washn D C Oct 18 189 7

3rd. ASST. SECRETARY
OCT 18 1897

Oct 18 Assistant Secy State
Washn D C
Gustave Solomon Brothers wish me to ask instructions for action respecting their tobacco petition to ship refused here September twenty third
Springer

Cable to Madrid, Oct: 21/97

Copy to Messrs Solomon Bros.

Oct. 21, 1897

INDEX BUREAU
REC'D.
OCT 26 1897
DEPT OF STATE

3rd. ASST. SECRETARY.
OCT 21 1897

FORM No. 3.

CABLE MESSAGE.

THE WESTERN UNION TELEGRAPH COMPANY.

INCORPORATED

All CABLE MESSAGES received for transmission must be written on the Message Blanks provided by this Company for that purpose, under and subject to the conditions printed thereon, and on the back hereof, which conditions have been agreed to by the sender of the following message.

THOS. T. ECKERT, President and General Manager.

TWO AMERICAN CABLES FROM NEW YORK TO GREAT BRITAIN.
CONNECTS ALSO WITH FIVE ANGLO-AMERICAN AND ONE DIRECT U. S. ATLANTIC CABLES.
DIRECT CABLE COMMUNICATION WITH GERMANY AND FRANCE.
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GLASGOW: No. 29 Gordon St. and No. 4 Waterloo St.
BRISTOL: Backhall Chambers.

NUMBER	SENT BY	RECD BY	No. OF WORDS.	FROM
Co	K		Govt Hqrs Habana 29	

RECEIVED at 62 of Oct 20 1897

Oct 20

Assistant Secretary State

Washington DC

Salomons case can be materially advanced if order be obtained and cabled here from Colonial Minister asking remission expediente to madrid Sparrow

No. 674.

U. S. CONSULATE GENERAL.

HABANA, Oct.20th,1897.

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3rd. ASST. SECRETARY. OCT 25 1897

Mr.SPRINGER

to the

DEPARTMENT OF STATE.

Telegrams respecting Tobacco of Gustave Salomon Bros.

No. 674.

U. S. CONSULATE GENERAL.

HABANA, October 20th, 1897.

Jos. A. Springer
Oct: 26/97

Honorable William R. Day,

Assistant Secretary of State,

Washington.

Sir:

I have the honor to confirm my telegram of the 18th, reading:

"Assistant Secretary State, etc.

"Gustave Salomon Brothers wish me ask instructions for "action respecting their Tobacco. Petition to ship refused "here September twenty third.

(sgd) Springer"

And to acknowledge receipt of the Department's telegram in reply, viz:

"You may officially aid Messrs. Salomon whose case has "been presented at Madrid unless character Habana decision "prevents action on your part.

(Sgd) Cridler".

I am informed by Mr. Gustave Salomon that although it is stated that the General Government has refused the application made by his agent here to ship the tobacco in question, no official communication on the subject has yet been received by him.

I cannot therefore as yet state how far the official action of this office can be exercised in behalf of Messrs. Salomon Brothers, but will aid them officially, as instructed, if within my power.

I am, Sir, your obedient servant,

Joseph A. Springer.

Vice Consul General.

Consular Bureau
COPIED.
Copy sent to President Dec. 2 by direction of Sec.
Compared
No. 675.

U. S. CONSULATE GENERAL,

HABANA, October 20th, 1897.

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3rd. ASST. SECRETARY OCT 28 1897

Mr. [redacted] SPRINGER

TO THE

DEPARTMENT OF STATE

Acknowledged. OCT 29 1897

Condition of "reconcentrados" in Habana.

Copied for Peace Commission

2D ASSISTANT SECRETARY.

OCT 26 1897

My dear Cridler

Re President says

"The fund at the disposal of the Council should be used to provide for such Americans as he refers to."

A A G

No. 675.

U. S. CONSULATE GENERAL.

HABANA, October 20th,1897.

Honorable William R. Day,

Assistant Secretary of State,

Washington.

Sir:

In the most northern part of this city,close to the entrance of the harbor,in proximity to the Morgue,the public jail,the Punta park and battery,etc.,are found "los fosos", the foss,ditch or moat of the old city walls,part of which are still standing. The space within these walls has been utilized for a number of years past,by the city government as a place of deposit for its street cleaning apparatus,its mules and carts, and as a general store-house for all such public works material, and as a place also of detention and shelter for vagrants and street beggars. At the entrance to the place and on the street corner is the Morgue. Within the limits are erected a number of buildings for various uses of the city Government,but the largest is a two story wooden building of about two hundred feet front by seventy deep. This was erected to serve as a shelter to hundreds of homelesss and houseless vagrants who roamed the streets begging by day,and sleeping in doorways and porticoes at night. The city has also for some months past been issuing here,twice a day,free to all applicants,rations consisting of bread and the peculiar spanish"rancho",a soup of beans,potatoes,lentils,cabbage,cod-fish and pork,the latter often rotten and rancid. But within the past three months, hundreds of families of the "reconcentrados" have been brought in Habana from the neighboring towns of San Miguel,Campo Florida,Jaruco and even Aguacate,and huddled into these quarters,

without any further provision made for them than the bare floor space. As to their food, I am told that the rations now issued amount to one thousand twice a day, and this coarse and for the most part, unsuitable food is eagerly taken and ravenously devoured and even then found inadequate.

The misery and sickness prevailing among these "reconcentrados", the greater part of them women and children, is simply indescribable, and the mortality among them, due to inanition and fever, frightful.

Having been informed that an American woman was among these "reconcentradqs", I visited the "Fosos" yesterday morning. I found in one part of the building referred to, which has now been given up altogether to their use, over five hundred women and children of all ages from a puling infant of a few weeks old to an anaemic girl of seventeen years, crowded into a space where only 200 should be accomodated with due regard to the laws of hygiene and decency. I learned that their condition had been greatly improved within a few weeks past, or even days, thanks to the initiative of a few Cuban families. Beds have been brought in, clothing obtained, and medicines frunished to the sick, but all due to private charity as the Government is indifferent and provides nothing, not even medicines, although the Ayuntamiento has assigned two physicians to the place and a hospital steward who told me he was over-worked and could not during the day distribute the medicines prescribed and required by all, --- medicines provided by private charity. Some attempt at a gegister and organization is now being made,

---

although at first no statistics were kept. The sexes are separate and the number of men,much less than that of the women and children,some 200,are kept in another part of the building. I was told by one of the physicians of a case where a man actually died from thirst; weak and unable to help himself he had called vainly for water for three days and when given him,he drank deeply and died in fifteen minutes. I saw one orphan family of ten little children,boys too weak to stand,emaciation,nudity and indifference to common decency everywhere,hunger,misery and starvation,and the sad look of woful resignation in the eyes of all.

I was informed that the American woman I was in search of, would be found under such a bed,in such a corner of the room. I found her in a bed which she had occupied only two days, having rested on the bare floor over six weeks and sheltered herself under the bed of another woman. She was but "one more unfortunate" who had become ill and diseased,thrown into the streets,picked up starving and sent to the "Fosos",all the city hospitals being full to overflowing. Here she has existed for six weeks nearly starved but is now improving. She has no family or friends,simply "one more unfortunate",and did not care to give her real name,or any particulars of her life beyond that she was born in New York and had been in this city six years.

The attention of private charity is being drawn to the miserable condition of these poor indefenseless "reconcentrados",and I learn that they are now being gradually better cared for. I am told that the condition of those who are still reconcentrated in the country twons is simply inconceivable,

---

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U. S. CONSULATE GENERAL.

HABANA,

---

and that the Government is indifferent to all this misery, considering extermination by starvation a just punishment and a fitting war measure against this people for the crime of insurrection and efforts to obtain their independence.

I am, Sir, your obedient servant,

Joseph A. Springer

Vice Consul General.

Copy. 676 File.

No. 676.

INDEX BUREAU
REC'D.
OCT 28 '97
DEPT. OF STATE

U. S. CONSULATE GENERAL.

HABANA, October 21st, 1897.

Mr. LEE

TO THE

DEPARTMENT OF STATE

Case of SALOMON BROTHERS respecting tobacco.

---------o----------

File

No.676.

U. S. CONSULATE GENERAL.

HABANA, October 21st,1897.

Hon.William R.Day,

Assistant Secretary of State,

Washington.

Sir:

With reference to Messrs.SALOMON BROTHERS case of petitioning this Government for permission to ship certain tobacco, I beg to confirm my telegram dated the 20th instant reading:

"Assistant Secretary State,

Washington.

"Salomon's case can be materially advanced if order be "obtained and cabled here from Colonial Minister asking "Pemission expediente to Madrid"

(Signed) Springer".

I am informed by Mr.G.Salomon now in this city,that the official communication refusing his petition was not received by his agent here until yesterday morning. I have seen it and it is dated Sept.2 -,1897,officially stamped as issued Sept. 25th,1897,and endorsed in writing "detained for lack of address". Mr.Salomon states that the address of his agent,to whom the note was sent,was clearly set forth in the petition and even then the reply would have been delivered through the Consulate General by which the petition was transmitted to the General Government on the 19th May last.

I understand that Mr.Salomon will present an appeal from this decision.

I am,Sir,your obedient servant,

Edward H.Springer

Vice Consul General.

No. 677.

INDEX BUREAU
REC'D.
OCT 28 '97
DEPT. OF STATE

U. S. CONSULATE GENERAL.

HABANA, Oct.21,1897.

Mr. LEE

TO THE

DEPARTMENT OF STATE

Claim of Mr.LOUIS CASTILLO y OSA.

----------o----------

1 Enclosure.

No. 677.

U. S. CONSULATE GENERAL.

HABANA, October 21st, 1897.

Hon. William R. Day,

Assistant Secretary of State,

Washington.

Sir:

I have the honor to transmit herewith a copy of a letter received from the American citizen Mr. LOUIS CASTILLO y OSA, which embodies a protest and claim for damages against the Spanish Government.

I am, Sir, your obedient servant,

Jacob A. Springer

Vice Consul General.

1 Enclosure:

Mr. Castillo to the Vice Consul General, October 20th, 1897.

Enclosure No.1.

With Despatch No.677.

H A B A N A , October 21st,1897.

Copy.

HABANA,October 20th,1897.

To the Vice Consul General of the United States,

HABANA.

Sir:

The undersigned,LOUIS CASTILLO y OSA,represents: that he is a native of Cuba and a citizen of the United States,having been naturalized in the Court of Common Pleas of New York city, on July 25th,1882,that he came to this Island in the year 1883 to work at his trade as an engineer,that he is owner of a two story house in the village of Aguacate,province of Habana.

That on the 16th January,1896,the tenant of said house Dr.Julio Cordobés was forcibly put out of it by the Spanish troops following orders from Julian Benito Diego,military commander of the said village.

That he protested against such an arbitrary act before the civil judge of the district and notified the Vice Consul General of this action.

That his said house was turned into a fortified barrack for the accomodation of troops and to serve as a fort.

That in consequence,said house has been partially destroyed and its flooring,walls,doors,windows & &.,damaged to such an extent that it will require at least an expenditure of over $2000 to put it again in its normal state.

That on the nights of the 7th June,12th August,30th December,1896 and 5th January,1897,the village was attacked by the insurgents according to official reports made to the Government by the military commander Vicente Garcia,being his house

one of the points attacked and suffered damages thereby.

That on January 1st,1896 ,he was employed as first engineer in the sugar estate"La Lima" in the jurisdiction of Cabezas.

That on account of the invasion by the Cuban forces he was compelled to leave the place.

That said sugar estate was totally destroyed by fire occasioned by insurgent forces and that he lost the following effects;besidesthis house valued at $3000.

1 horse saddle and its equipments valued at	$ 175.
1 bed stead and its spring valued at	" 35.
1 trunk containing some suits,bed clothes,1 gold watch $106 in gold and sundry articles valued at least in	" 325.
1 No.336 box of mathematical instruments manufactured by Kenfeel and Essex valued at	" 35.
1 compass,some others,several rules and various engineer's tools valued at	" 175.
1 No.4 Dallmayer lens	" 111.
1 star view camera box 8 by 10 valued at	" 40.
1 Acme barnisher valued at	" 25.
1 plain engineers transit valued at	" 200.
1 box containing a lot of photograph material and some implements valued at	" 60.
1 C.F.Richardson leveling instrument valued at	" 75.
1 roll of drawings and plans of machinery valued at	" 100.
1 trunk cpntaining several works on engineering and professional books valued at	$ 175.
Total:	$3531.

Wherefore this deponent protests against the losses and damages he has suffered to his property and interest by reason of the action of the Spanis troops and subjects of Spain in

revolt; the depradations committed on his property by them and all consequent losses and damages resulting to him and thereby originated, and declares that he believes himself entitled to receive an indemnity from the Spanish Government of THIRTY FIVE HUNDRED and THIRTY ONE DOLLARS in gold, and interest thereon at 6 per cent annually until payment, and doth thereby make formal demand and claim from the said Government of Spain for said amount.

(Signed) LOUIS CASTILLO y OSA.

Before me,

(Signed) Joseph A.Springer,

(SEAL) U.S.Vice Consul General.

A true copy:

Joseph A. Springer
Vice Consul General

COPIED

No. 678.

Copy shown to President. Sec. as instructed

Acknowledged. OCT 30 1897

INDEX BUREAU REC'D. OCT 26 1897 DEPT. OF STATE

U. S. CONSULATE GENERAL.

HABANA, October 23rd, 1897.

Authorized to show. 6/1 29.97. 10.

Mr. ~~Lee~~ Springer,

TO THE

DEPARTMENT OF STATE

Relative to the Relief Fund.

2 Enclosures.

Copied

No. 678.

U. S. CONSULATE GENERAL.

HABANA, October 23rd, 1897.

Honorable William R.Day,

Assistant secretary of State,

Washington.

Sir:

With reference to my despatches numbers 653 and 655, of September 14th and 20th, respectively, relative to the Cuban Relief Fund, I have to state that the money placed in my hands for that purpose, is now, except for a few dollars, exhausted, and I have demands from the Consul at Matanzas and more funds are also needed for Habana.

As it is desirable that there should be no break in this relief, or that our Consuls should not incur indebtedness in order to keep it up, and that it should not be forcibly suspended causing much inconvenience and misery as happened here for want of funds, I would respectfully suggest that instructions be cabled to me to draw for a further sum of $5000.

There are now over 1600 persons receiving relief, requiring a weekly outlay of nearly $1300, spanish gold.

I give the following figures which vary, however, from week

U. S. CONSULATE GENERAL.

HABANA,

to week and are therefore only approximate.

HABANA, including relief furnished to several families in interior towns, over		750 persons.	$ 550.
MATANZAS.		253 "	" 275.
SAGUA.	about	300 "	" 250.
CARDENAS.		65 "	" 40.
SANTIAGO DE CUBA.		89 "	" 50.
CIENFUEGOS.		64 "	" 50.
TRINIDAD.		54 "	" 35.
SANCTI SPIRITUS.		32 "	" 30.
		1607 persons.	$ 1280.

I am, Sir, your obedient servant,

Joseph A. Springer

Vice Consul General.

2 Enclosures:

No.1 - Mr. Brice to Mr. Springer, Oct. 22.

No.2 - Mr. Casanova to Mr. Springer, Oct. 15.

Enclosure No.1.

With Despatch No.678.

H A B A N A , October 23rd,1897.

Copy.

U.S.Consulate at Matanzas,Oct 22,1897.

Joseph A.Springer,Esq.,

U.S.Vice Consul General,

Habana.

Sir:

Owing to the many sick people among our destitute American citizens,our medicine bills have greatly increased,prescriptions run over $8. daily. Also our ration list has increased now to 253 weekly. We require for rations this week and medicine bills up to date, $400 Spanish gold.

Scarcely a family in our list but has some one sick. Several families have 5 & 6 sick children. Conditions are rapidly growing worse even among our citizens. I am at my wits end to know how to handle this growing demand for help.

Kindly remit above amount $400 Span.gold.

I am, etc.

(Signed) A.C.Brice,

U.S.Consul.

Enclosure No. 2
With Despatch No. 678.
H A B A N A , October 23rd, 1897.

Copy.

U.S.CONSULATE at Cienfuegos.
October 16th, 1897.

Joseph A.Springer,Esq.
U.S.Vice Consul General,
Habana.

Sir:

In reply to your letter of the 11th instant I beg to state:

That there are at Cienfuegos 64 persons receiving food and medicines. The aggregate number of weekly rations allotted to them is 43 at the cost of $1.25 per each week ration, is $53.75 silver at 19 per cent discount $43.54 Spanish gold.

There are at Trinidad 54 persons receiving food and medicines. They receive 32 weekly rations at the cost of $38.08 silver, at 19 per cent discount $30.84.

por Sancti Spiritus I have a statement from Mr.Rafael Madrigal showing that there were on Sept.24th ultimo 32 persons receiving rations at a total cost of $40 silver (estimated) at 19 per cent discount $32.40.

Total required weekly for food alone at the three places mentioned $106.78 spanish gold, exclusive of medicines, which I estimate to cost about $11.54 weekly for Sancti Spiritus, Trinidad, Cienfuegos, making a total for food and medicines of $118.32 Sp.gold.

My indebtedness for food and medicine up to the 9th inst. was $107.33 spanish gold. From Oct.9th to date I have expended in food and medicine $54.75 silver, which at 19 per cent discount is equal to $44.35 spanish gold, thus making my total indebtedness to date-$151.68 spanish gold.

In accordance with your authority I have drawn my draft on you this day to the order of Nicolas Castaño for $270 sp. gold to cover my indebtedness to date and one week ahead as per above statements.

I enclose three lists containing the names of the persons receiving relief at Cienfuegos, Trinidad and Sancti Spiritus, the relief allotted to each and the cost thereof.

I am, etc.

(Signed) Juan J. Casanova,

Vice and Deput Consul.

No. 679.

679

U. S. CONSULATE GENERAL.

INDEX BUREAU
REC'D.
NOV 1 '97
DEPT. OF STATE

HABANA, October 25th, 1897.

Rec'd
To Salomon Bros
Nov. 1/97

3rd. ASST. SECRETARY.
NOV 1 1897

Mr. SPRINGER

to the

DEPARTMENT OF STATE.

Respecting the shipment of certain tobacco belonging to

Messrs. GUSTAV SALOMON & BROTHERS, of New York.

---

1 Enclosure.

No. 679.

U. S. CONSULATE GENERAL.

HABANA, October 25th, 1897.

Hon. William R. Day,

Assistant Secretary of State,

Washington.

Sir:

Referring to despatches Nos. 674 and 676, of the 20th and 21st instant, respecting the shipment of certain tobacco belonging to Messrs. GUSTAV SALOMON & BROTHERS, of New York, I have the honor to report that upon receipt on the 20th instant, of the official denial to his petition, which was transmitted through this office to the General Government on the 19th July last, and not May, as erroneously stated in despatch No. 676- Mr. G. Salomon, through his agent petitioned the Governor General to transmit his appeal in the matter to the Colonial Minister. This petition was presented through this office on the 21st instant, and acknowledged the same day to the effect that the documents had been sent to the Intendancy General, for the usual procedure.

I perceive, by a telegram published here, dated Madrid Oct. 23rd, that the Colonial Minister has ordered the suspension of the exportation of leaf tobacco from Cuba until after the arrival of the new Governor General.

I am, Sir, your obedient servant,

Vice Consul General.

Enclosure:

The Secretary of the General Government to the Consul General, October 21st, 1897.

Enclosure No.1.

With Despatch No.679.

H A B A N A , October 25th,1897.

Copy-translation.

GENERAL GOVERNMENT OF THE ISLAND OF CUBA.

OFFICE of theSECRETARY GENERAL.

By order of H.E.the Governor General I have the honor to acknowledge the receipt of your courteous note of to-day,enclosing two memorials signed by Don Jose Gonazalez Muñiz, attorney of Messrs.Gustav Salomon & Brothers,in an appeal to the Colonial Minster against the decision of the Intendacy General of Finance which denied its permission to export 1645 bales of leaf tobacco,and I have to add that under this date the said documents will be referred to the Intendacy for their proper transmission.

God guard you many years.

Habana,October 21,1897.

(Signed) Manuel Lopez Gamundi.

To the Consul General of the United States.

One Enclosure.

Solicitor

680

No. 680.



U. S. CONSULATE GENERAL.

HABANA, October 26th, 1897.

Mr. SPRINGER

Encl. Dft. 11.1.97



TO THE

DEPARTMENT OF STATE

Relative to the seizure by the Spanish authorities in this Island of cattle belonging to the American citizen Mr. RAFAEL de los REYES y GARCIA.

---------o----------

One Enclosure.

Mr Chilton

Ack. and suggest that it would be well for the owner of the cattle to prepare and forward to the Dept. a claim for the value of the cattle confiscated.

No. 680.

U. S. CONSULATE GENERAL.

HABANA, October 26th,1897.

Honorable William R.Day,

Assistant Secretary of State,

Washington.

Sir:

With reference to the seizure by the Spanish authorities in this Island,of cattle belonging to citizens of the United States,I have the honor to transmit herewith copy-translation of a communication I have addressed the Governor General,embodying the substance of a protest made by Mr.Eduardo Alvarez, the representative of the American citizen Mr.Rafael de los Reyes ,of Sancti Spiritus,against the action of the authorities in the matter of seizing cattle belonging to his constituent,in violation of the treaty between the United States and Spain,and in their refusing to make payment therefor as prescribed by the recent Decree of the Governor General on the subject.

I am,Sir,your obedient servant,

Joseph H. Springer

Vice Consul General.

1 Enclosure:

Mr.Springer to the Governor General,October 25th,1897.

Enclosure No.1.
With Despatch No.680.
H A B A N A , October 26th,1897.

COPY.

U.S.CONSULATE GENERAL.

HABANA,October 25th,1897.

To His Excellency the Governor and Captain General of the Island of Cuba.

Excellency:

Mr.Eduardo Alvarez,in the name and representation of the American citizen Mr.RAFAEL de los REYES y GARCIA,of Sancti Spiritus,reports to me,in writing,that a certain cattle,a list of which is appended at foot,belonging to the said Mr.Reyes having arrived in this city consigned to the Ayuntamiento (City Government),the said deponent Mr.Alvarez appeared at the Abattoir of this capital and together with the veterinary surgeon delegated by the Government in that establishment, proceeded to count the number of heads of cattle,distinguishing them by their brands and marks,and with the list of same presented himself to the delegate of the Ayuntamiento at the Abattoir,Don Lucio Betancourt,who referred him for the purpose of collecting his credit,in accordance with Your Excellency's decree (Bando) relative to the matter,to the Mayor of the city, who in turn refused to pay him,basing his denial on the fact that he obeyed superior orders. Mr.Alvarez adds,that he also applied to the Secretary of the General Government,who,likewise, referred him again to the Mayor,and informed him that if the latter refused to pay him,he could then address a petition to the Governor General; but the deponent,Mr.Alvarez,having been unable to do so,direct,because he became ill,and while convalescent was obliged to leave for the United States on the

21st instant, the date of the letter referred to, he applies to this Consulate General demanding his rights before that Government and the payment of the sum to which he is entitled.

Mr. Alvarez further states that the cattle in question was taken away from the plantations of ~~the~~ the said American citizen Mr. Rafael de los Reyes y Garcia, by virtue of Your Excellency's Decree (Bando), and shipped to Sancti Spiritus; and further that in accordance with the said Decree he now claims the value of the cattle; he also states that on other occasions several other herds of cattle have been brought here in the same form but he has been unable to count them because he has not been present at the Abattoir.

I have the honor to communicate to Y.E. the above, in order that justice be done in this case, taking in consideration article VII of the treaty of 1795 between the United States and Spain. In this connection, I have to request Y.E. to please order that in compliance with your own Decrees (Bandos) the value of the said cattle be paid to its owner, the American citizen above mentioned, and that he be properly indemnified.

I have the honor to be Y.E.'s obedient servant,

(Signed) Joseph A. Springer,

Vice Consul General.

List of the cattle, referred to.

Cattle arrived early in September:

Brand #	100 bulls weighing	16 1/2	arrobas at	$1.50	$2475.-
	94 cows do.	10 1/2	do. "	"1.50	"1480.50
	100 big hides		"	"4.-	" 400.-
	94 do. do.		"	"2.50	" 235
			TOTAL in GOLD:		$4590.50

DEPT. OF STATE
OCT 25, 9.20 AM 1897
CHF. CLKS. OFFICE
RECEIVED

Ordered
OCT 29 1897

20

TELEGRAM RECEIVED.

3rd ASST. SECRETARY
OCT 27 1897

1 m

From Havana

Oct 27th, 1897.

Asst Secretary State,

Received 10 16 AM.

Washington, D.C.

Frank Agramonte and

Tomas Julio Sainz

Santiago de Cuba have

been pardoned

Springer

681

No. 681.

2D ASSISTANT SECRETARY, Ack by subject & file NOV 8 1897

Acknd Nov. 10/97.

U. S. CONSULATE GENERAL.

INDEX BUREAU REC'D. NOV. 1 '97 DEPT OF STATE

HABANA, October 27th, 1897.

Mr. SPRINGER

Seen by Judge Day

TO THE

3rd. ASST. SECRETARY NOV 1 1897

DEPARTMENT OF STATE

Transmitting several copies of a recent manifest of the Cuban insurgent leaders to the people of Cuba.

----------o--------

Enclosures.

No. 681.

U. S. CONSULATE GENERAL.

HABANA, October 27th, 1897.

Honorable William R. Day,

Assistant Secretary of State,

Washington.

Sir:

I have the honor to transmit several copies of a recent manifest of the Cuban insurgent leaders addressed to the people of Cuba.

I also accompany a translation of same.

I am, Sir, your obedient servant,

Joseph A. Springer

Vice Consul General.

Enclosures: Manifest to people of Cuba and translation.

Enclosure No.1.

With Despatch No.681.

H A B A N A , October 27th,1897.

TRANSLATION.

GOD ,COUNTRY and LIBERTY.

M A N I F E S T .

TO THE PEOPLE OF CUBA:

The war for Independence of our country is nearing the end.

Among other unmistakable proofs the following facts show it:

FIRST:- The orderly meeting,tranquilly and previously announced to the whole world in the principal newspapers of America and Europe,of the Sovereign Assembly at Guaimarillo elected by the suffrage of the people of the Republic,to appoint,in conformity with the fundamental law of same,the new Chief of the Cuban Government; without the Spanish army still in Cuba being able to prevent it.

SECOND:- The siege of Tunas,its capture by the Republican Army and the surrender of the veteran and large Spanish force which with formidable artillery occupied that important military place.

THIRD:- The complete civil and military organization maintained by us from Cape Maisi to San Antonio,with such effect that we collect regularly and without delay on the part of the

tax payers the war taxes due us, the amount of which is being placed by our Government in Foreign cities for the purchase of war vessels, arms and munitions of war.

FOURTH:- The permanency and stability of our supreme powers in the free city of Cubitas, which is constantly visited by intelligent journalists from the United States, and even from England and France, but never by the enemy's troops.

FIFTH:- The regularity with which we receive on our coasts and in the ports of Free Cuba (Cuba Libre) in steam vessels from abroad, arms, ammunitions, medicines, clothes, shoes, hats, food, products, surgical instruments, agricultural implements, newspapers, and political, diplomatic and public correspondence.

SIXTH:- The establishment and operation of diplomatic agencies of the Cuban Republic in all the capitals and important cities of our sister Republics of the three Americas and in the principal ones of the European States.

SEVENTH:- The 70.000 combatants only remaining to Spain, out of the 250.000 soldiers which she so arrogantly and fruitlessly sent to our fields to fight against us.

EIGHTH:- The period of two years and seven months elapsed since our glorious 24th of February, 1895, during which Spain has been unable to reconquer the territory of the Island, to the amazement of the great military powers who cannot conceive in our days such a prolongued duration of a Colonial war, the Metropolis having in its favor all the formidable means of action of a constituted State.

NINTH:- The impossibility of the Spanish monarchy of contracting with the banks of Paris, London and Berlin, loans destined to keep up the war in Cuba; as well as the exhaustion of the Spanish treasury and the penury of its people who flee from its fertile but wasted soil.

TENTH:- The daily desertions of the brave Spanish soldiers who feeble from lack of food and with no hope of collecting their pay, of which according to the confession of the Madrid newspapers eight months are due them, come over to our ranks, where they are fraternally welcomed.

ELEVENTH:- The notorious failures of Generals Calleja, Martinez-Campos and Weyler.

TWELFTH:- The ruin of the interior and exterior commerce in the towns still in possession of Spain, and the absolute paralization imposed by the Army of the Republic upon agricultural and industrial labor in the sugar making districts.

THIRTEENTH:- The inaction of the Spanish troops, not only in the East (Oriente) and Camaguey (Puerto Principe) but in Las Villas (Santa Clara) where, as it is known, the Headquarters of the General in Chief of the Republican Army are established; and whom General Weyler, following his system, of declining all combat, has refused to fight.

FOURTEENTH:- The uselessness of the concentration of non-combatants (pacificos) carried out inflexibly by the said General Weyler, who endeavored by such measures to deprive us of private advices (confidencias) and resources which have never been wanting thanks to our communications abroad and the facility of the means we abundantly possess of daily contact with our agents and friends throughout the Island, and which we do not specify for the obvious reason of not revealing them to the enemy.

FIFTEENTH:- The spite employed in the attempt to exterminate the Cuban race, as if the Spaniards were convinced that while there are Cubans, and Spaniards and Foreigners who sympathize with our Holy cause, it is not possible to extirpate the sentiment and the idea of Independence.

SIXTEENTH:- The declaration made by the Spanish press of

Madrid that the pitiless and cruel war system adopted by General Weyler is utterly ineffectual for the pacification of Cuba and the recovery of Spanish dominion; as it formerly declared the military policy of Martinez Campos to have been a failure: it being thereby proved that the Spaniards do not attain their object, either by adopting the system of terror, nor that of moderation.

SEVENTEENTH:- The general criticism made by the sensible press of foreign nations respecting the situation of Spain with regard to Cuba, upon affirming that the days of the domination of the former over the latter are counted: a testimony which coming from neutral observers is, at least, impartial and is in all probability correct.

EIGHTEENTH:- The character which the Cuban problem has taken, in the judgement of the other free peoples of America, with the United States at their head, of it being, not only the just rebellion of an oppressed Colony against its Metropolis but the final and decisive manifestation of the spirit of the American continent.

NINETEENTH:- The firm resolution adopted by the North American people of co-operating by their powerful intervention to the independence of Cuba, not only by reason of republican sympathies and in obedience to motives of humanity, but because of the enormous damages caused to their commerce by the war in Cuba, the termination of which, is in the conscience of the United States, that can only be reached by the consecration of the Cuban personality.

And TWENTIETH:- the irrevocable conviction of the people of Cuba that it has already reached the age of political majority; and, in consequence, to the necessity, the realization of which cannot be delayed, of emancipating itself from the

Metropolis,from which it is separated by distance,by the dissimilarity of their idyosincrasy,their interests,the ideas and even public passions,which demand a Republic here,sven as a Monarchy is demanded in Spain.

In view of the foregoing facts,the logic of which is indisputable because of the evidence of its proof,it is inapplicable,uselss,inefficacious,unworthy and absurd that any other solution but the Independence of Cuba can sensibly,satisfactorily,and definitely resolve the political problem of this country. Having been rejected in a frank and forceful manner by the Republican Army the offer made to us twice by the Spanish Government during the present contest,to apply in Cuba a system of Autonomy,as incompatible with the needs of liberty of this country as it is with the historical and juridical system of Spain,we hardly need to repeat that under no consideration shall we treat with the oppressors of our country except solely and exclusively on the basis of the absolute Independence of Cuba.

No; Cuba cannot,must not and does not wish to continue any longer under the sovereignity of Spain,which has not illustrated the dark history of her dominion with a single act of retributive justice and which has not brought to our soil a single scientific progress revealing the culture of European civilization; for steam,the lightning rod,the terrestial and submarine telegraphs,the industrial machines,philosophy and economic science do not reach our hearing nor our souls with names reminding us of the Spanish race,checked in its secular immobility,but with North American,English,French,German, Italian and Belgian names,which show us the scientific greatness of their respective progressive countries.

Cuba cannot accept Autonomy,not only under the Spanish form,but not even with the amplitude enjoyed by Canada and the Australian Colonies. The epic pages of the revolution are not

written in our glorious fields with the blood of our heroes, in order that upon the termination of such a prodigious work the unworthy record of errors of our patriotism be read. The names of our champions who have fallen and those of the 150.000 indefensive Cuban pitilessly murdered by General Weyler would condemn us from Heaven, if we were to treat with Spain, over the soil of which not in vain have passed crowds of Carthagenian felons.

Therefore, upon rejecting Autonomy, again proposed to us by the Spanish Government, as a sign of its characteristic treachery and of its impotence to prevent by force of arms the irresistible and near advent of the Independence of Cuba, we do not deem ourselves in the stern necessity of reminding that our laws punish with the penalty of death as a guilty of high treason whosoever comes to the territory of the Cuban Republic with proposals of agreements or compacts regarding Autonomy; and we make this declaration because we know that there is not a single worthy Cuban capable of committing such an ignominy.

Given at the free city of Cubitas on the 20th September, 1897.

The President of the Republic,

DOMING MENDEZ CAPOTE.

The Major General, General in Chief,

M.GOMEZ.

The Major General, General in Chief of the 1st and 2nd Corps of the Oriental Army,

CALIXTO GARCIA INIGUEZ.

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Segundo. El sitio de las Tunas, su captura por el Ejército Republicano y la rendición de la aguerrida y numerosa fuerza Española que con formidable artilleria ocupaba aquella importante plaza de guerra.

Tercero.—La completa organización civil y militar que mantenemos desde Maisi á San Antonio hasta el punto de que recsudanos de una manera periódica, sin morosidad de los contribuyentes los tributos de guerra que nos son debidos y cuyas sumas sitúa nuestro Gobierno en plazas del Estranjero para la adquisición principalmente de buques de vapor, armas y pertrechos militares.

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Octavo.— El periodo de dos año y siete meses transcurridos desde el glorioso dia 24 de Febrero del año de 1895, durante el cual no ha podido España reconquintar el territorio de Isla, con asombro de las grandes potencias militares que no conciben en nuestros dias duración tan prolongada de una guerra colonial, teniendo á su favor la Metropoli todos los formidables medios de acción de un Estado constituido.

Noveno.— La imposibiilidad en que se encuentra la monarquía Española de contratar con las bancas de Paris, Londres y Berlin empréstitos destinado á sostener la guerra de Cuba; asi como el agotamiento del tesoro Español y la penuria de su pueblo que huye de su suelo fertil, pero yermo.

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Decimotercero.— La inacción de las tropas Españolas no solo en Oriente y Camagüey, sino en las Villas en cuyo último territorio como es sabido se halla establecido el Cuartel Gral, del Gral en Jefe del Ejercito Republicano, con el cual no ha querido medir sus armas el Gral Weyler, que por sistema ha rehuido todo combate.

Decimocuarto.— La inutilidad de la reconcentración de pacificos llevada inflexiblemente á cabo por el referido Gral Weyler, quien pretendió con esa medida privarnos de confidencias y recursos que jamás nos han faltado, gracias á nuestra comunicación con el exterior y á la facilidad de los medios conque abundantemente contamos para estar en diario contacto con nuestros Agentes y servidores en toda la Isla y que no especificamos por la razón obvia de no revelarlos al enemigo.

Decimoquinto.— La misma saña que se emplea para tratar de esterminar la raza Cubana, como si estuvieran los Españoles convencidos de que mientras existan Cubanos, y Españoles y Extranjeros que con nuestra Santa causa simpaticen, no esposible estipar el sentimiento y la idea de la Independencia.

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Decimosétimo.— La critica general que ha formado la prensa mas sesuda de las naciones extranjeras respecto de la situación de España en Cuba, al afirmar que los dias de la dominación de la primera sobre la segunda estan contados: testimonio que por ser de observadores neutrales tiene en su favor, cuando ménos, el sello de la imparcialidad y la probalidad del acierto.

Decimooctavo.— El caracter que ha tomado el problema Cubano en el sentir de los demas pueblos libres de América, con el de los Estados Unidos á la cabeza, de ser, no ya la justa rebeldia de una Colonia oprimida con ra su Metropoli, sino la manifestación última y decisiva del espiritu continental de America.

Decimonoveno.— La resolución firmisima que ha adoptado el pueblo Norte Americano de cooperar con su poderosa intervencion á la independencia de Cuba, no solo por razones de simpatias republicanas y obedeciendo á moviles de humanidad, sino por que asi se lo imponen los enormes perjuicios que irroga á su comercio la guerra de Cuba, cuyo termino está en la conciencia de los Estados Unidos que sólo puede alcanzarse mediante la consagración de la personalidad Cubana.

Y vigésimo.— La irrevocable convicción que tiene el pueblo de Cuba de que ya ha llegado con mucho á la edad de la mayoria politica; y por lo tanto á la necesidad, cuya satisfacción no puede diferirse, de emanciparse de su metropoli, de la cual la separan la distancia, la desemejanza de su indioscincrasia, los intereses, las ideas y hasta las pasiones publicas que pregonan la Republica, como en España la monarquia.

Sentados los anteriores hechos, cuya logica es irrebatible por la evidencia de sus afirmaciones, es improcedente, inutil, ineficaz, indigno, absurdo que pueda ninguna otra solución que no sea la Independencia de Cuba resolver sensata, satisfatoria, y definitivamente el problema politico de este pueblo.

Rechazado de una manera franca y vigorosa por el ejercito Republicano el ofrecimiento que durante la actual contienda nos ha hecho dos veces el Gobierno Español, de aplicar en Cuba un régimen de Autonomia, tan incompatible con las necesidades de la libertad en este pais, como con la manera de ser histórica y juridica del pueblo Español, casi no tenemos necesidad de repetir que bajo ningun concepto podriamos transigir con los opresores de nuestra patria á no ser única y esclusivamente sobre la base de la absoluta Independencia de Cuba.

No: Cuba, no puede, no debe y no quiere continuar por más tiempo bajo la soberania de España, que no ha ilustrado la tenebrosa historia de su dominio con una sola medida de justicia reparadora y que no ha traido á nuestro suelo un solo progreso cientifico que revele la cultura de la civilización Europea; que el vapor, el pararrayos, el telegrafo terretre y submarino, las maquinas de la industria la filosofia y la ciencia económica no hablan á nuestro oidos ni á nuestro espiritu de nombres que recuerden la raza española, estancada en su inmovilidad secular, sino de nombres Norte Americanos, Ingleses, Franceses, Alemanes Italianos y Belgas, que nos muestran la

grandeza científica de sus respectivos adelantados pueblos.

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En tal concepto, al rechazar la Autonomia que de nuevo nos propone el Gobierno español, dando asi muestra de su deslealtad caracteristica y de su impotencia para impedir con la fuerza de las armas el incontrastable y cercano advenimiento de la Independencia de Cuba, no nos creemos en la dura necesidad de recordar que nuestras leyes castigan con la pena de muerte como reo de alta traición á quien quiera que venga al territorio de la Republica Cubana con proposiciones de arreglos ó pactos sobre la Autonomia; y hacemos esta declaración por que sabemos que no hay un solo Cubano digno capaz de cometer ignominia semejante.

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Decimocuarto.— La inutilidad de la reconcentración de pacificos llevada inflexiblemente á cabo por el referido Gral Weyler, quien pretendió con esa medida privarnos de confidencias y recursos que jamás nos han faltado, gracias á nuestra comunicación con el exterior y á la facilidad de los medios conque abundantemente contamos para estar en diario contacto con nuestros Agentes y servidores en toda la Isla y que no especificamos por la razón obvia de no revelarlos al enemigo.

Decimoquinto.— La misma saña que se emplea para tratar de esterminar la raza Cubana, como si estuvieran los Españoles convencidos de que mientras existan Cubanos, y Españoles y Extranjeros que con nuestra Santa causa simpaticen, no esposible estipar el sentimiento y la idea de la Independencia.

Decimosesto.— La declaración que hace la prensa española de Madrid de ser de todo punto ineficaz para los efectos de pacificar á Cuba y de recuperar el dominio español, el sistema de guerra despiadado y cruel adoptado por el Gral Weyler; bien asi como antes habia declarado tambien contraproducente la politica militar de Martinez Campos: con lo cual probado queda que para los españoles no dan los resultados que apetecen, ni el sistema del terror, ni el de la moderación.

Decimosétimo.— La critica general que ha formado la prensa mas sesuda de las naciones extranjeras respecto de la situacion de España en Cuba, al afirmar que los dias de la dominación de la primera sobre la segunda estan contados:testimonio que por ser de observadores neutrales tiene en su favor, cuando ménos, el sello de la imparcialidad y la probalidad del acierto.

Decimooctavo.— El caracter que ha tomado el problema Cubano en el sentir de los demas pueblos libres de América, con el de los Estados Unidos á la cabeza, de ser, no ya la justa rebeldia de una Colonia oprimida contra su Metropoli, sino la manifestación última y decisiva del espiritu continental de America.

Decimonoveno.— La resolución firmisima que ha adoptado el pueblo Norte Americano de cooperar con su poderosa intervencion a la independencia de Cuba, no solo por razones de simpatias republicanas y obedeciendo á moviles de humanidad, sino por que asi se lo imponen los enormes perjuicios que irroga á su comercio la guerra de Cuba, cuyo termino está en la conciencia de los Estados Unidos que sólo puede alcanzarse mediante la consagración de la personalidad Cubana.

Y vigésimo.— La irrevocable convicción que tiene el pueblo de Cuba de que ya ha llegado con mucho á la edad de la mayoria politica; y por lo tanto á la necesidad, cuya satisfacción no puede diferirse, de emanciparse de su métropoli, de la cual la separan la distancia, la desemejanza de su indioscincrasia, los intereses, las ideas y hasta las pasiones publicas, que pregonan la Republica, como en España la monarquia.

Sentados los anteriores hechos, cuya logica es irrebatible por la evidencia de sus afirmaciones, es improcedente, inutil, ineficaz, indigno, absurdo que pueda ninguna otra solución que no sea la Imdepeadencia de Cuba resolver sensata, satisfatoria, y definitivamente el problema politico de este pueblo.

Rechazado de una manera franca y vigorosa por el ejercito Republicano el ofrecimiento que durante la actual contienda nos ha hecho dos veces el Gobierno Español, de aplicar en Cuba un régimen de Autonomia, tan incompatible con las necesidades de la libertad en este pais, como con la manera de ser histórica y juridica del pueblo Español, casi no tenemos necesidad de repetir que bajo ningun concepto podriamos transigir con los opresores de nuestra patria á no ser única y esclusivamente sobre la base de la absoluta Independencia de Cuba.

No: Cuba, no puede, no debe y no quiere continuar por más tiempo bajo la soberania de España, que no ha ilustrado la tenebrosa historia de su dominio con una sola medida de justicia reparadora y que no ha traido á nuestro suelo un solo progreso cientifico que revele la cultura de la civilización Europea; que el vapor, el pararrayos, el telegrafos terretre y submarino, las maquinas de la industria la filosofia y la ciencia económica no hablan á nuastros oidos ni á nuestro espiritu de nombres que recuerden la raza española, estancada en su inmovilidad secular, sino de nombres Norte Americanos, Ingleses, Franceses, Alemanes Italianos y Belgas, que nos muestran la

grandeza científica de sus respectivos adenlantados pueblos.

Cuba no puede aceptar la Autonomia, no ya en la forma Española, pero ni aun con la amplitud de la que disfrutan el Canadá y las colonias Australianas No se escribe en nuestros glorioso campos con sangre de heroes las páginas épicas de la revolución, para que al terminar la portentosa obra, se leyese la indigna fé de erratas de nuestro patriotimo Los manes de nuetros campeones desaparecidos y de los 150,000, Cubanos indefensos asesinados impiamente por el Gral Weyler nos maldecirian desde su gloria, si transigieramos con España, sobre cuyo suelo no pasaron en vano muchedumbres de Cartagineses felones.

En tal concepto, al rechazar la Autonomia que de nuevo nos propone el Gobierno español, dando asi muestra de su deslealtad caracteristica y de su impotencia para impedir con la fuerza de las armas el incontrastable y cercano advenimiento de la Independencia de Cuba, no nos creemos en la dura necesidad de recordar que nuestras leyes castigan con la pena de muerte como reo de alta traición á quien quiera que venga al territorio de la Republica Cubana con proposiciones de arreglos ó pactos sobre la Autonomia; y hacemos esta declaración por que sabemos que no hay un solo Cubano digno capaz de cometer ignominia semejante.

Dado en la ciudad libre de Cubitas á 20 de Septiembre del año de 1897.

El Presidente de la Reúpblica.
Domingo Mendez Capote.

El Mayor Gral, Gral en Jefe.
M. Gomez.

El Mayor Gral, Gral en Jefe del 1° y 2° Cuerpo de el Ejercito Oriental.
Calixto Garcia Yñiguez.

Imprenta y Tipografia de "El Cubano Libre"

DIOS PATRIA Y LIBERTAD.

MANIFIESTO
AL PUEBLO DE CUBA

La guerra por la Independencia de la Patria toca á su termino.

Asi lo demuestran entre otras pruebas inequivocas los hechos siguientes:

Primero — La celebración ordenada, tranquila y previamente anunciada al mundo entero en todos los grandes periódicos de América y Europa, de la Sobarana Asamblea de Guaimarillo elegida por el sufregio del pueblo de la República, para designar conforme á la ley fundamental de la misma, al nuevo Jefe del Estado Cubano; sin que hubiese podido impedirlo todo el ejercito Español qu aun reside en Cuba.

Segundo. El asedio de las Tunas, su captura por el Ejército Republicano y la rendición de la aguerrida y numerosa fuerza Española que con formidable artillería ocupaba aquella importante plaza de guerra.

Tercero.—La completa organización civil y militar que mantenemos desde Maisi á San Antonio hasta el punto de que recaudanos de una manera periódica, sin onerosidad de los contribuyentes los tributos de guerra que nos son debidos y cuyas sumas sitúa nuestro Gobierno en plazas del Estranjero para la adquisición principalmente de buques de vapor, armas y pertrechos militares.

Cuarto.—La permanencia y estabilidad de nuestros supremos poderes en la ciudad libre de Cubitas continuamente visitada por ilustrados periodistas de los Estados Unidos y aun de Inglaterra y Francia y nunca por las tropas enemigas

Quinto.—La regularidad con que en nuestras costas y en los puertos de Cuba Libre recibimos del estranjero en buques de vapor, armas municiones medicamentos, ropas, calzado, sombreros, articulos y productos alimenticios, instrumentos quirurgicos y agricolas, periodicos y correspondencia politica, diplomatica y pública.

Sesto.— El establecimiento y ejercicio en todas las capitales y ciudades importantes de nuestras hermanas las Republicas de las tres Américas y en las principales de los Estados Europeos, de agencias diplomáticas de la República Cubana.

Setimo.—Los 70.000 combatientes que solo le restan á España de los 250,000 soldados que tan arrogante como esterilmente envió á nuestros campos para combatirnos.

Octavo.— El periodo de dos año y siete meses transcurridos desde el glorioso dia 24 de Febrero del año de 1895, durante el cual no ha podido España reconquistar el territorio de Isla, con asombro de las grandes potencias militares que no conciben en nuestros dias duracion tan prolongada de una guerra colonial, teniendo á su favor la Metropoli todos los formidables medios de acción de un Estado constituido.

Noveno.— La imposibiilidad en que se encuentra la monarquia Española de contratar con las bancas de Paris, Londres y Berlin empréstitos destinado á sosteter la guerra de Cuba; asi como el agotamiento del tesoro Español y la penuria de su pueblo que huye de su suelo fertil, pero yermo.

Décimo.— Las cotidianas deserciones de los bravos soldados Españoles que, estenuados por la falta de alimentación y ya sin esperanza de cobrar sus haberes, de los cuales segun propia confesión de los periodicos de Madrid se les adeudan ocho mensualidades, vienen á nuestras filas en las que son fraternalmente recibidos.

Undécimo.— El ruidoso frascaso de los Generales Calleja, Martinez Campos Marin y Weyler.

Duodécimo.— La ruina del comercio interior y exterior en las poblaciones aun en poder de España y la paralización absoluta impuesta por el ejército Republicano á los trabajos agricolas é industriales de las fincas azucareras.

Decimotercero.— La inacción de las tropas Españolas no solo en Oriente y Camagüey, sino en las Villas en cuyo último territorio como es sabido se halla establecido el Cuartel Gral, del Gral en Jefe del Ejercito Republicano, con el cual no ha querido medir sus armas el Gral Weyler, que por sistema ha rehuido todo combate.

Decimocuarto.— La inutilidad de la reconcentración de pacificos llevada inflexiblemente á cabo por el referido Gral Weyler, quien pretendió con esa medida privarnos de confidencias y recursos que jamás nos han faltado, gracias á nuestra comunicación con el exterior y ála facilidad de los medios conque abundantemente contamos para estar en diario contacto con nuestros Agentes y servidores en toda la Isla y que no especificamos por la razón obvia de no revelarlos al enemigo.

Decimoquinto.— La misma saña que se emplea para tratar de esterminar la raza Cubana, como si estuvieran los Españoles convencidos de que mientras existan Cubanos, y Españoles y Extranjeros que con nuestra Santa causa simpacizen, no esposible estipar el sentimiento y la idea de la Independencia.

Decimosesto.— La declaración que hace la prensa española de Madrid de ser de todo punto ineficaz para los efectos de pacificar á Cuba y de recuperar el dominio español, el sistema de guerra despiadado y cruel adoptado por el Gral Weyler; bien asi como antes habia declarado tambien contraproducente la politica militar de Martinez Campos: con lo cual probado queda que para los españoles no dan los resultados que apetecen, ni el sistema del terror, ni el de la moderación.

Decimosétimo.— La critica general que ha formado la prensa más sesuda de las naciones extranjeras respecto de la situación de España en Cuba, al afirmar que los dias de la dominación de la primera sobre la segunda estan contados: testimonio que por ser de observadores neutrales tiene en su favor, cuando ménos, el sello de la imparcialidad y la probalidad del acierto.

Decimooctavo.— El caracter que ha tomado el problema Cubano en el sentir de los demas pueblos libres de América, con el de los Estados Unidos á la cabeza, de ser, no ya la justa rebeldia de una Colonia oprimida contra su Metropoli, sino la manifestación última y decisiva del espiritu continental de América.

Decimonoveno.— La resolución firmisima que ha adoptado el pueblo Norte Americano de cooperar con su poderosa intervencion a la independencia de Cuba, no solo por razones de simpatias republicanas y obedeciendo á moviles de humanidad, sino por que asi se lo imponen los enormes perjuicios que irroga á su comercio la guerra de Cuba, cuyo termino está en la conciencia de los Estados Unidos que sólo puede alcanzarse mediante la consagración de la personalidad Cubana.

Y vigésimo.— La irrevocable convicción que tiene el pueblo de Cuba de que ya ha llegado con mucho á la edad de la mayoria politica; y por lo tanto á la necesidad, cuya satisfacción no puede diferirse, de emanciparse de su métropoli, de la cual la separan la distancia, la desemejanza de su indioscincrasia, los intereses, las ideas y hasta las pasiones publicas, que pregonan la Republica, como en España la monarquia.

Sentados los anteriores hechos, cuya logica es irrebatible por la evidencia de sus afirmaciones, es improcedente, inutil, ineficaz, indigno, absurdo que pueda ninguna otra solución que no sea la Imdependencia de Cuba resolver sensata, satisfatoria, y definitivamente el problema politico de este pueblo.

Rechazado de una manera franca y vigorosa por el ejercito Republicano el ofrecimiento que durante la actual contienda nos ha hecho dos veces el Gobierno Español, de aplicar en Cuba un régimen de Autonomia, tan incompatible con las necesidades de la libertad en este pais, como con la manera de ser histórica y juridica del pueblo Español, casi no tenemos necesidad de repetir que bajo ningun concepto podriamos transigir con los opresores de nuestra patria á no ser única y esclusivamente sobre la base de la absoluta Independencia de Cuba.

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En tal concepto, al rechazar la Autonomia que de nuevo nos propone el Gobierno español, dando asi muestra de su deslealtad caracteristica y de su impotencia para impedir con la fuerza de las armas el incontrastable y cercano advenimiento de la Independencia de Cuba, no nos creemos en la dura necesidad de recordar que nuestras leyes castigan con la pena de muerte como reo de alta traición á quien quiera que venga al territorio de la Republica Cubana con proposiciones de arreglos ó pactos sobre la Autonomia; y hacemos esta declaración por que sabemos que no hay un solo Cubano digno capaz de cometer ignominia semejante.

Dado en la ciudad libre de Cubitas á 20 de Septiembre del año de 1897.

El Presidente de la Reúpblica.
Domingo Mendez Capote.

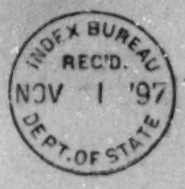
El Mayor Gral, Gral en Jefe.
M. Gomez.

El Mayor Gral, Gral en Jefe del 1° y 2° Cuerpo de el Ejercito Oriental.
Calixto Garcia Yñiguez.

Imprenta y Tipografia de "El Cubano Libre"

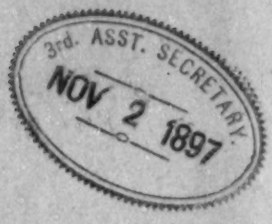
Consular Bureau

No. 682.



U. S. CONSULATE GENERAL.

HABANA, October 27th, 1897.



Mr. SPRINGER

TO THE

DEPARTMENT OF STATE

Pardon of FRANK AGRAMONTE and THOMAS JULIO SAINZ, at Santiago de Cuba.

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Acknowledged Dis. 11. Dec. 3/97.

1 Enclosure.

No. 682.

U. S. CONSULATE GENERAL.

HABANA, October 27th, 1897.

Honorable William R. Day,

Assistant Secretary of State,

Washington.

Sir:

I have the honor to confirm my telegram of to-day's date:

"Assistant Secretary State,

"Washington.

"Frank Agramonte and Thomas Julio Sainz, Santiago de

"Cuba, have been pardoned.

(Signed) Springer".

I also accompany translation of the communication from His Excellency the Governor General to the above effect.

I have telegraphed this information to our Consul at Santiago de Cuba.

I am, Sir, your obedient servant,

Jonah Springer

Vice Consul General.

1 Enclosure: The Governor General to the Consul General, Oct 25.

No.682.

Enclosure No.1?

With Despatch No.682.

H A B A N A , October 27th,1897.

TRANSLATION.

GENERAL GOVERNMENT OF THE ISLAND OF CUBA.

OFFICE OF THE SECRETARY GENERAL.

His Excellency the Captain General reports to the Governor General on the 20th instant as follows:

Excellency: - In view of the petition of pardon addressed to me on the 18th August last by the Consular Agent of the United States at Santiago de Cuba, and in consideration of the circumstances concurring in the civilians FRANCISCO AGRAMONTE and THOMAS JULIO SAINZ, imprisoned in said place, I have under this date pardoned the said individuals of any penalty in which they may have incurred. I have the honor to inform you the above for your knowledge and in order that you may communicate the same to the Consul General of the United States here and the Consular Agent at Santiago de Cuba."

I transmit to you the above for your knowledge and effects.

God guard you many years. Habana, 25 October, 1897.

(Signed) Manuel Lopez Gamundi.

To the Consul General of the United States.

Consular Bureau

No. 683.

U. S. CONSULATE GENERAL.

HABANA, Oct. 27th, 1897.

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3rd. ASST. SECRETARY. NOV 2 1897

Mr. SPRINGER

Rcbd. Nov. 3, 1897.

139 Habana.

TO THE

DEPARTMENT OF STATE

Relative to the exportation of tobacco from Cuba.

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1 Enclosure.

No. 683.

U. S. CONSULATE GENERAL.

HABANA, October 27th, 1897.

Hon. William R. Day,

Assistant Secretary of State,

Washington.

Sir:

With reference to the Department's instruction No. 477 of the 18th instant, relative to the claims of Messrs. SEIDENBERG & Co. and Messrs. FEDERICO BAURIEDEL & Co., to export from Cuba certain tobacco purchased by them prior to Captain General WEYLER'S decree of May 16, 1896, I have the honor to state that upon communicating the susbstance of the said instruction to Messrs. F. BAURIEDEL & CO., they informed me that everything had been prepared for the shipment, and the only thing lacking was the signature of the Governor General to the order, which at the last moment was withheld, and they asked the intervention of this office in the matter.

I consequently addressed an official communication to the Governor General on the 23rd instant, asking that said permit be issued. No reply has yet been received, but I presume it will be in accord with the telegram from Madrid, published here on the 24th, referred to in my despatch No. 679, that the Colonial Minister had ordered the suspension of the exportation of tobacco from Cuba, until after the arrival of the new Governor General.

I am, Sir, your obedient servant,

Joseph A. Springer

Vice Consul General.

1 Enclosure: Mr. Springer to Governor General, Oct. 23

Enclosure No.1.
With Despatch No.683.
H A B A N A , October 27th,1897.

Copy.

U.S.CONSULATE GENERAL.

HABANA,Oct.23,1897.

To His Excellency the Governor General of the Island of Cuba.

Excellency:

Messrs.F.BAURIEDEL & CO.,merchants of this city,and the representatives of Messrs.SEIDENBERG & CO.,of New York,communicate to this Consulate General that having applied to Y.E. for the permit necessary for the shipment of certain 600 bales of tobacco purchased by them prior to Your Excellency's decree of the 16th May,1896,this permit has not been issued to them,which may thereby occasion grave prejudice to the interests of their constituents.

They also state that the tobacco referred to,is comprised in one of the seven cases which were favorably passed upon by the Colonial Minister at Madrid,and also within a few days past favorably considered by the Intendancy General of Finance of this Island.

Therefore,Your Excellency is requested,in view of the foregoing statement to be pleased,as a matter of justice,to give your approval to the proceedings already taken in this case,the only formality lacking to effect the shipment of said tobacco.

I take this occasion to express to Y.E.the assurances of my great respect and most distinguished consideration.

(Signed) Joseph A.Springer,

Vice Consul General.

NOV 8 1897 BUR. ACCOUNTS. DEP. OF STATE.

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Consular Bureau

Mr Branagan

file

No.684.

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U. S. CONSULATE GENERAL.

HABANA, October 30th, 1897.

Mr. ~~KEE~~ SPRINGER

3rd. ASST. SECRETARY NOV 5 1897

TO THE

DEPARTMENT OF STATE

Relative to the Relief Fund.

No. 684.

Secretary of State.
NOV 3 1897

U. S. CONSULATE GENERAL.

HABANA, October 30th,1897.

Honorable William R.Day,

Assistant Secretary of State,

Washington,D.C.

Sir:

I have the honor to acknowledge the receipt of the following telegram:

"Washington,October 29th,1897.

"Joseph A.Springer,Vice Consul General,Habana.
"You are authorized to draw for five thousand dollars.
(Signed) Sherman".

and to advise you that in conformity with above telegraphic instruction,I have drawn under yesterday's date,at fifteen days sight,acceptance waived,upon the Honorable Secretary of State for the amount of five thousand dollars ($5000) in two separate drafts of two thousand five hundred dollars each,($2500),one in favor of Messrs.HIDALGO & CO.,on which I received a premium of 10 1/4 per cent,and one in favor of Messrs.G.LAWTON CHILDS & CO on which I received a premium of 10 3/4 per cent. Consequently there is now on deposit with the firm of Messrs.HIDALGO & CO., the further sum of two thousand seven hundred and fifty six and 25/100 dollars,($2756.25) in Spanish gold,and with the firm of Messrs.G.LAWTON CHILDS & CO.,the sum of two thousand seven hundred and sixty eight 75/100 dollars,($2768.75) Spanish gold, to the credit of the Cuban Relief Fund,and subject to the order of this office.

I am,Sir,your obedient servant,

Joseph A. Springer

Vice Consul General.

5525.00

685

No. 685.



U. S. CONSULATE GENERAL.

HABANA, October 30th, 1897.

Mr. LEE SPRINGER

TO THE

DEPARTMENT OF STATE

Asst Treasury
Dis. Co.
Nov 8/97.

Wash Enc. to Treas

List of Chinese certificates.

1 Enclosure.

No. 685.

U. S. CONSULATE GENERAL.

HABANA, October 30th, 1897.

Hon. William R. Day,

Assistant Secretary of State,

Washington.

Sir:

In accordance with regulations and the Department's instructions, I have the honor to transmit herewith list in duplicate of certificates issued to Chinese subjects of the exempt class, visaed at this office to entitle them to admission into the United States, with the evidence respecting each visa.

I am, Sir, your obedient servant,

Joseph A. Springer

Vice Consul General.

1 Enclosure; in duplicate.

Enclosure No.1.

With Despatch No.685.

H A B A N A ,October 30th,1897.

U.S.CONSULATE GENERAL. HABANA.

October 30th,1897.

LIST of CERTIFICATES of CHINESE visaed at this office to entitle them to admission into the United States.

Visa No.446 CHUONG SAM 30 years. Merchant

Upon affidavit of Hum Wah Ling,managing partner of Quech Yung Lung & Co.,11 Mott street,New York,before Walter E.Bird,Notary Public,Sept.11,1897,and visaed by Thos.J.Dunn,Deputy Collector of Customs.

Visa No.447. Quon Lock. 28 years. Merchant.

Upon affidavit of Loui Sing,managing member of High Hung Lung & Co.,51 Mott street,New York,before Chas. Spence,Notary Public,Aug.12,1897,and visaed by Thos. J.Dunn,Deputy Collector ,New York.

Both of above Chinese present certificates issued by Chinese Consul General and visaed by Regional Government.

They sail for New York by steamer "Seguranca",to-day.

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No. 686.

File

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U. S. CONSULATE GENERAL.

HABANA, October 30th, 1897.

Mr. SPRINGER

TO THE

DEPARTMENT OF STATE

Receipt of instructions and circulars.

No. 686.

U. S. CONSULATE GENERAL.

HABANA, October 30th, 1897.

Honorable William R. Day,

Assistant Secretary of State,

Washington.

Sir:

I have the honor to acknowledge the receipt of the Department's instructions from No. 460, Sept. 10th, to No. 480, Oct. 23, 1897.

I have also received the Department's circulars dated Sept. 1st, 3rd, 27th, 29th and 30th, 1897.

I am, Sir, your obedient servant,

Louis A. Springer

Vice Consul General.

Consular Bureau

No. 687.

U. S. CONSULATE GENERAL.

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REC'D.
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HABANA, Nov.3,1897.

Mr. DEUK SPRINGER

Dcd - tcht. Inst. 9. 1897.

TO THE

DEPARTMENT OF STATE

3rd. ASST. SECRETARY.
NOV 8 1897

Relative to the mining zones of Daiquiri and Juragua in the Santiago de Cuba province.

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1 Enclosure.

No. 687.

U. S. CONSULATE GENERAL.

HABANA, November 3rd, 1897.

Hon. William R. Day,

Assistant Secretary of State,

Washington.

Sir:

I have the honor to transmit herewith translation of a communication from the office of the Captaincy General, to the effect that it had been decided to leave within the mining zones of Daiquiri and Juragua the garrisons having forts and encampments therein.

I have transmitted a copy of the said note to our consul at Santiago de Cuba for his information, and to communicate to the parties concerned.

I am, Sir, your obedient servant,

Jonah D. Spencer

Vice Consul General.

1 Enclosure: The General in charge to the Vice Consul General.

No. 687.

Enclosure No.1.

With Despatch No.687.

H A B A N A , November 3rd,1897.

TRANSLATION.

ARMY OF THE ISLAND OF CUBA. CAPTAINCY GENERAL. STAFF.

In view of a communication addressed to me on the 24th September last by the Commandant general of the Cuba Division (Santiago de Cuba), and considering the reasons therein exposed, I have resolved that the garrisons having camps and forts shall remain in the mining zones of Daiquiri Juraguá.

I have the honor to communicate to you the above for your information.

God guard you many years. Habana, Oct. 31, 1897.

(Signed) Adolfo Jimenez Castellanos,

The General in charge.

To the Consul General of the United States.

Desp. 688

No. 688.



U. S. CONSULATE GENERAL.

HABANA, November 4th, 1897.

Answered Dec 17

Mr. ~~KEE~~ SPRINGER

Cert. to Treasury, with copy. Nov. 10/97.

TO THE

DEPARTMENT OF STATE

Loss of the American schooner "Arviadon" (sic).

From Madrid Nov 23

No. 688.

U. S. CONSULATE GENERAL.

HABANA, November 4th, 1897.

Honorable William R. Day,

Assistant Secretary of State,

Washington.

Sir:

I have the honor to inform the Department that by a telegram from the marine coast guard at Dimas, also confirmed by a note from the Admiral of this station, this office is advised of the total loss on the 25th ultimo, three miles northwest of Cape San Antonio Light, on this Island, of the American schooner "Arviadon", Jemey Arris, master, (these names are evidently misspelled) - belonging to New Jersey, the crew consisting of nine men were saved, and are waiting for a steamer to bring them to Habana.

When they arrive they will be duly cared for by this office, and I will communicate further particulars respecting the wreck.

I am, Sir, your obedient servant,

Joseph H. Springer

Vice Consul General.

689

No. 689.

ack'd file

ASSISTANT SECRETARY
NOV 9 1897
DEPARTMENT OF STATE.

INDEX BUREAU
REC'D.
NOV 9 '97
DEPT. OF STATE

U. S. CONSULATE GENERAL.

HABANA, November 4th, 1897.

Mr. ~~KER~~ SPRINGER

Acknd. Nov. 11, 1897.

TO THE

DEPARTMENT OF STATE

Arrival of General BLANCO.

1 Enclosure.

No.689.

U. S. CONSULATE GENERAL.

HABANA, November 4th,1897.

Honorable William R.Day,

Assistant Secretary of State,

Washington.

Sir:

I have the honor to report the arrival on the morning of the 31st ultimo,on board the spanish steamer "Alfonso XIII", from La Coruña,of His Excellency Don RAMON BLANCO y ERENAS, marquis de Peña Plata,the newly appointed Governor and Captain General of this Island.

General WEYLER,whom he relieves in command has drawn upon himself considerable unfavorable criticism,from the fact that he did not deliver over his office,as ordered to do from Spain, temporarily to General Jimenez Castellanos; that he hurried to embark on the "Monserrat",the steamer that was to take him to Spain,on the 29th,in order that he might be the recipient of a popular manifestation engineered for his benefit by a few of the most conservative spaniards and destined to prepare political opinion in Spain upon his arrival there; in permitting this,it is stated,that he disobeyed positive orders from Spain and will be called upon for an explanation. He held on to the command as long as possible,delivering only on Saturday the 30th,the military part to general Jimenez Castellanos,and the despatch of the general government to the Admiral of the station.

It was expected that the "Alfonso XIII" would arrive on the 29th,but delayed by storms,it did not reach this port until Sunday morning,the 31st October. General WEYLER had been ordered to await general BLANCO's arrival,and as soon as the

"Alfonso XIII" anchored WEYLER went on board and held a long conference with the incoming chief. At about ten o'clock general BLANCO landed, proceeded to the Palace, and aftehethe usual oath and other formalities was installed in office. General WEYLER sailed on the "Monserrat" at one o'clock. Very little popular enthusiasm was manifested at either event nor were there such crowds of curious spectators as usual on such occasions.

Yesterday general BLANCO received the consular corps in a body. In a short speech, in reply to the welcome tendered by the dean of the corps, the consul general of Mexico, BLANCO stated this reception to be one of the most agreeable duties he had been called upon to perform since his arrival and begged that each of the consuls present should express his thanks and compliments tp their respective governments.

He has also received deputations from the principal trade guilds, societies and corporations, and on every occasion expressed hopes for a prompt pacification of the Island, depending on the cooperation of all parties and persons.

Great hopes are entertained for general BLANCO's success, but at present the indications are that every thing is in a state of expectancy.

I am, Sir, your obedient servant,

Vice Consul General.

1 Enclosure: Slip and translation from LA LUCHA respecting the consular reception alluded to.

Enclosure No.1.

With Despatch No.689.

H A B A N A , November 4th,1897.

TRANSLATION.

From LA LUCHA of Habana,Nov.3rd,1897.

THE CONSULAR RECEPTION.

The consular reception took place to-day with great splendor and solemnity,the consuls of Mexico,England,France, Germany,Turkey,Denmark,Austria-Hungary Greece,Bolivia,Paraguay, China and Colombia,and the vice consuls,chancellors and secretaries of the United States,Brazil,Venezuela,Italy,China,Guatemala Argentine and France.having attended in uniform or in evening dress.

Mr.A.C.Vazquez addressed general Blanco as follows:

"Excellency:- It affords me pleasure to cordially welcome Your Excellency,not only as the dean of the foreign consular corps,but as consul general of the United States of Mexico.

"Your Excellency may rest assured that we all sincerely desire that Y.E.may succeed in the noble purpose of returning to Cuba,as far as possible,its lost welfare; to which end we shall contribute,within our power,through the friendly relations inspired by good faith,dignity and justice,as well as by a respectful friendship towards the spanish nation and the intellectual and moral qualities possessed by Your Excellency."

General Blanco answered: that one of the most pleasant acts of his life was the honorable distinction which the consular corps established in Habana inspired him; that officially and personally he would endeavor to be of service to the Consuls and that he requested them to express to their respective

Sovereigns or Presidents of the Foreign Powers his good wishes regarding the welfare and prosperity of their nations.

Subsequently, Mr. Vazquez introduced to H.E. his colleagues, with whom general Blanco affectionately conversed.

Mr. Truffin, Consul of Russia, did not attend the receptipn because of his wife's illness.

The Consul of Turkey, Mr. Quirico Gallostra, then expressed to general Blanco His Imperial Majesty's wishes in favor of the triumph of the spanish cause in Cuba.

Finally, the General's aids bade adieu to the respectable Consular Corps.

The public witnessed from the entrance to the Palace the elegant and convenient visit of the resentatives of the friendly nations.

Enclosure #1
with despatch #689
Habana, Nov. 4/897.

LA LUCHA

Habana miércoles 3 de noviembre de 1897.

La recepción consular

Se ha verificado hoy con mucha brillantez y solemnidad, asistiendo á Palacio, vestidos de uniforme ó de etiqueta, los señores cónsules de México, Inglaterra, Francia, Alemania, Turquía, Austria-Hungría, Dinamarca, Grecia, Bolivia, Paraguay, China y Colombia, y los vice-cónsules, cancilleres y secretarios de los Estados Unidos, Brasil, Venezuela, Italia, China, Guatemala, Argentina y Francia.

El señor A. C. Vázquez dijo al general Blanco:

«Excmo. Sr.:—Me complazco en dirigir la más cordial bienvenida á V. E., ya como decano del cuerpo consular extranjero, acreditado en esta isla, ya en mi carácter de cónsul general de los Estados Unidos Mexicanos.

»Puede V. E. creer que todos nosotros deseamos sinceramente que V. E. logre ver realizado el noble propósito de devolver á Cuba, en lo posible, su perdido bienestar; á cuyo objeto habremos de contribuir, en la esfera de nuestras facultades, por medio de amistosas relaciones, inspiradas en la cordura, la dignidad y la justicia, así como en un respetuoso aprecio á la nación española, y á las simpáticas dotes intelectuales y morales que en V. E. concurren.»

El Sr. Blanco contestó diciendo que uno de los actos más agradables de su vida era la honrosa distinción que le merecía al Cuerpo Consular establecido en la Habana; que oficial y particularmente se esmeraría en servir á los señores Cónsules y que rogaba á cada uno de ellos que hiciera presente á los Soberanos ó Presidentes de los Estados extranjeros, los votos fervientes que formaba por la salud de ellos y la prosperidad de sus naciones.

En seguida, el Sr. Vázquez presentó á S. E., particularmente á sus colegas, con los cuales habló afectuosamente el Sr. Blanco.

El Sr. Truffin, Cónsul de Rusia, no asistió por enfermedad de su señora esposa.

Después el Cónsul del Imperio Otomano, Sr. Quirico Gallostra, expresó al Sr. Blanco los deseos de S. M. Imperial en favor del triunfo de la causa española en esta Antilla.

Por último, los ayudantes de S. E. despidieron cortésmente al respetable Cuerpo Consular.

Un público numeroso presenció á la entrada de Palacio, la elegante y conveniente visita al Gobernador General, de todos los representantes de las naciones amigas.

Consular Bureau

Copy.

Confirmed Dept. 9 97

TELEGRAM RECEIVED.

INDEX BUREAU
REC'D.
NOV 6 '97
DEPT. OF STATE

From Havana,

Nov. 6, 1897.

Assistant Secretary of State,

Received 9:30 A/M.

Washington,

D.C.

Trial by court martial Competitor prisoners will be held Monday next. Will attend.

Springer.

Deciphered by C.C.

Nov 6, 1897.

690

No. 690.

DIPLOMATIC
NOV 11 1897
BUREAU.

U. S. CONSULATE GENERAL.

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REC'D.
NOV 9 '97
DEPT. OF STATE

HABANA, November 6th, 1897.

Mr. KEE SPRINGER

Asked if treaty with Spain. Nov. 11, 1897. Adee

TO THE

DEPARTMENT OF STATE

Treaty
To Spain
Nov. 12.
acknowledging
Dec 17

Wreck of the brig "WAU-BUN, of Camden, N.J.

1 Enclosure.

from Madrid
Nov 23

No.690.

U. S. CONSULATE GENERAL.

HABANA, November 6th,1897.

Hon.William R.Day,

Assistant Secretary of State,

Washington.

Sir:

With reference to my despatch No.688 of the 4th instant,in which I reported to the Department the loss near Cape San Antonio,on the 25th ultimo,of the American schooner "ARVIADON" (name so telegraphed), and the expected arrival at Habana of the crew,I have the honor to report that the master Jesse E. Avis,and eightmen of the brig "WAU-BUN",of Camden,N.J.were brought to this port yesterday morning from Dimas,by the spanish steamer "Adela". The WAU-BUN sailed from Black River, Jamaica,on the 16th ultimo with a cargo of logwood, bound to providence,R.I. On the morning of the 25th she struck on a reef about 8 miles N.W.of Cape San Antonio Light. Being unable to get the vessel off,and seeing that she was a total loss,the crew took to the boats,loading them with clothing, stores and sails for tents,and made land. Here they remained for three days engaged in stripping the vessel,and received aid from the commander of the military post,at that point. On the 28th a Spanish gunboat took the crew to Buenavista or Dimas,and the particulars of the wreck were then telegraphed to this office. They remained at this place until Monday,the 1st instant,and then took passage to Habana,arriving,as stated, yesterday morning. This office will provide them board and lodging and transportation to the United States,but on account of the strict interpretations of the Sanitary regulations,the

U.S.Sanitary Inspector's office here will not permit them to leave for the United States,until they have each been vaccinated and under observation for at least five days. Two men are in condition to leave to-day,but the remaining ~~seven~~ must remain until next Thursday,when,if the vaccination is satisfactory to the Inspector stationed here, they will be allowed to proceed to New York. They are all apparently well to-day and I trust during this enforced period of idleness may not get ill.

The expense of transportation,board,etc.,will appear in my accounts for this fractional quarter.

I enclose the one half of the vessel's register,cancelled on account of loss,and also append a list of the names of the crew.

I am,Sir,your obedient servant,

Joseph A Springer

Vice Consul General.

1 Enclosure: One half of the vessel's register as stated.

Names of above mentioned crew:

Jesse E.Avis.	Master.
C.E.Phillips.	Mate.
Fred Riley.	2nd Mate
Wm.A.Brown.	Cook.
J.Semers .	Seaman.
Ed.Elfert	"
Axel Osterling	"
Adolph Tafial	"
Cecil Graham.	"
	"

Consr. 691

File.

No. 691.



U. S. CONSULATE GENERAL.

HABANA, November 6th, 1897.

Mr. SPRINGER

TO THE

DEPARTMENT OF STATE

Confirming cypher telegram.

No.691.

U. S. CONSULATE GENERAL.

HABANA, November 6th, 1897.

Hon. William R. Day,

Assistant Secretary of State,

Washington.

Sir:

I have the honor to confirm my cypher telegram to the Department of this date, to the effect that the trial by court-martial of the "Competitor" prisoners had been fixed for Monday next, and that I would attend same.

I am, Sir, your obedient servant,

Joseph A. Springer.

Vice Consul General.

692

Consular Records

No. 692.

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REC'D.
NOV 11 '97
DEPT. OF STATE

U. S. CONSULATE GENERAL.

HABANA, November 6th, 1897.

Mr. DEXTER SPRINGER

TO THE

DEPARTMENT OF STATE

Gty. Fr. Fraser, Acting Secretary
M. Treaty
Dept. Int. 15/97.

ASST. SEC'Y
NOV 12 1897

Transmitting copy and translation of a decree of the Governor General respecting the importation of horned cattle.

1 Enclosure.

No. 6 9 2.

U. S. CONSULATE GENERAL.

HABANA, November 6th, 1897.

Honorable William R. Day,

Assistant Secretary of State.

Washington.

Sir:

I have the honor to transmit herewith a copy and translation of a decree of the Governor General permitting from the 10th instant the importation of all horned cattle into this Island for the next two months, or until January 10th, 1898, free of all import and other dues. From that date for four months, or until May 10th, 1897, only one half of the fiscal dues on the importation of such cattle will be collected.

There are at present quite a number of steamers, barges and sailing vessels engaged in this traffic and the actual importation is estimated at about 1,000 head per week.

I am, Sir, your obedient servant,

Joseph A. Springer

Vice Consul General.

Enclosure: Copy and translation of the above mentioned decree.

Enclosure No.1.

With Despatch No.692.

H A B A N A , November 6th,1897.

TRANSLATION.

From the HABANA GAZETTE,Nov.5th,1897.

D E C R E E .

In view of the reasons expressed by the Intendancy General of Finance and in exercise of the authorization granted to me by H.M.'s Government,I hereby decree as follows:

Article 1st:- From the 10th instant,the introduction into all the ports of entry of the Island,of horned cattle,with exemption of the fiscal dues imposed by entry 206 of the ruling Tariff,and of the 5 per cent tax ad valorem on imported merchandise,established by the decree of the 26th November,1896, is hereby permitted.

Article 2nd:- The free importation of horned cattle,applies to all such imported into this Island,until the 10th January next; from the following day,the 11th,until the 10 th May next,such cattle shall pay one half of the fiscal dues which they now pay,and also the tax of 5 per cent on the value of all merchandise established by the said decree of the 26th November.

Article 3rd:- The Intendancy general of Finance will issue the proper instructions for the execution of the present decree,and will report through the official organ,the number of heads,making distinction of the sexes,bulls,cows,young bulls, steers and calves imported during the period of six months comprised by the franchise and reduction of duties.

Habana,4th November,1897.

RAMON BLANCO.

---o---

No. 693.

U. S. CONSULATE GENERAL.

HABANA, November 6th, 1897.

GACETA DE LA HABANA
Sábado 6 de Noviembre de 1897

DECRETO

En atención á las razones expuestas por la Intendencia general de Hacienda y en uso de la autorización que por el Gobierno de S. M. se me tiene concedida, vengo en decretar lo siguiente:

Artículo 1º Desde el dia 10 del mes actual, se permite la introducción en todos los puertos habilitados de la Isla, de ganado vacuno con exención de los derechos fiscales señalados por la partida 206 del vigente Arancel y del 5 por 100 sobre el valor de las mercancías que se importen, establecido por el decreto de 26 de Noviembre de 1896.

Artículo 2º La libre introducción de ganado vacuno, alcanza á todo el que se importe en esta Isla, hasta el dia 10 de Enero próximo; desde el siguiente dia 11, hasta el 10 de Mayo venidero adeudará la mitad de los derechos fiscales que pagan actualmente, y el impuesto íntegro del 5 por 100 que sobre el valor de toda mercancía, estableció el aludido decreto de 26 de Noviembre.

Artículo 3º La Intendencia general de Hacienda, dictará las disposiciones convenientes para la mejor ejecución del presente decreto, y dará á conocer por medio del periódico oficial, el número de cabezas, con distinción de bueyes, toros, vacas, novillos, becerros y becerras, terneros y terneras que se importen durante el período de seis meses que comprende la franquicia y rebajas de derechos.

Habana, 4 de Noviembre de 1897.

Ramón Blanco.

No. 693.

U. S. CONSULATE GENERAL.

HABANA, November 6th, 1897.

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NOV 11 '97
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Mr. LEE SPRINGER

TO THE

DEPARTMENT OF STATE

In Chinese Treaty
write one of the orig. treaties.
Dispatch Dept. 12, 1894.

List of chinese.

1 Enclosure.

No.693.

U. S. CONSULATE GENERAL.

HABANA, November 6th,1897.

Hon.William R.Day,

Assistant Secretary of State,

Washington.

Sir:

In accordance with regulations and the Department's instructions,I have the honor to transmit herewith list in duplicate of certificates issued to chinese subjects of the exempt class and to laborers,visaed at this office to entitle them to admission into the United States,and to passage in transit for China,respectively,together with statement of evidence respecting each visa.

With reference to the Department's instruction No.475 of 11th October relative to this subject,hereafter this office will endeavor to obtain further evidence and fuller information as to the applicants for visa.

I am,Sir,your obedient servant,

Joseph A. Springer

Vice Consul General.

Enclosure: List in duplicate.

Enclosure No.1,

With Despatch No.693.

H A B A N A , November 6th,1897.

LIST of CERTIFICATES of CHINESE visaed at this office,to entitle them to admission into the United States,and to passage in transit for China:-

Visa No.445 LEE SEE 34. Merchant.

Upon the affidavit of Hum Wah Ling,managing partner of the firm of Quong Tuck Lung & Co,11 Mott street, New York,before Walter R.Bird,Notary Public,Sept. 11th,1897,and visaed by Thos J.Dunn,Deputy Collector of Customs,New York.

Visa No.448. HOM HING. 23. Merchant.

Upon the affidavit of Moy Len member of Tee Hing & Co,20 Pell street,New York,before Frank Acille,Notary Public,May 12,1897,and visaed by Thos.J.Dunn,Deputy Collector,New York.

Visa No.449. LUNG LUM. 16 student.

Upon the affidavit of Lee Sing,managing partner of Kwong Ling Tai,925 Race st.,Phila.,before H.L.Meyer, Jr.,Notary Public attested by Clerk of Court of Common Pleas,and visaed by Deputy Collector of Customs at Phila.

Visa No.450 HO LIN JUE. 27 Merchant

Upon affidavit of Harry Lee Kung,managing partner of Hem Heong Lou & Co.,11 Mott street,New York,before Frank Aille,Notary Public,July 31,1897,and visaed by Thos.J.Dunn,Deputy Collector,New York.

Visa No.458. QUAN HANG TOU 22 Merchant.

Upon affidavit of Lee Lick You,managing partner of Wing Woh Chong & Co 34 Pell street,New York,before Frank Aielle,Notary Public 16 Oct,1897,and visaed by Thos J.Dunn,Deputy Collector New York.

Visa No.453. pelipe Perez alias Yip Ju Sun, laborer.

454 Manuel Ayo alias Yip Pau,labower.

455 Chi Chen Yen,ditto.

All the foregoing eight chinese hold certificates issued by the Chinese consul general duly visaed by the Regional Governer,the three last named are classified as laborers,whose certificates are visaed as in transit and in addition a descriptive list regarding them has been transmitted to the Collector of Customs at New York. The foregoing chinese sailed on the 4th instant by steamer "Seneca" bound to New York.

Visa No.451 TAM WOX 36. Merchant.

Upon affidavit of Lee Hong,managing partner of Sang Ching &Co.28 Mott street,before Walter E.Bird ,Notary Public 29 July,1897,and visaed by Thos J.Dunn, Deputy Collector ,New York.

Visa No.452 LEE AH CHONG 30 Merchant.

Upon affidavit of Lee Guy Chum,of Guy ON Long & Co of 43 Mott street,New York,before Frank Aiello, Notary Public Oct.16,and visaed by Thos J.Dunn,Deputy Collector,New York.

Visa No. 457 CHU MOW SING 24 Merchant.

Upon affidavit of Moi Que,managing partner of Sue Hop Lee & Co.34 Pair st.,Newark,N.J.before Herman Heenschnke,Notary Public,Aug 21,and attested by Clerk of Court of Common Pleas,Newark and visaed by peputy Collector D.G.Hawthorne.

The 3 above chinese hold certificates issued by Chinese consul general and visaed by Regional Governer,and sail to-day by S.S.Yucatan.

Consular Bureau

No.

U. S. CONSULATE GENERAL.

Ack Nov 15

HABANA, November 6th, 1897.

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Mr. KEE SPRINGER

Grant. Cir Co

TO THE

DEPARTMENT OF STATE

NOV 12 1897

Request for leave of absence.

No .

U. S. CONSULATE GENERAL.

HABANA, November 6th, 1897.

Hon. William R. Day,

Assistant Secretary of State,

Washington.

Sir:

On account of impaired health and family matters requiring my attention I respectfully request leave of absence not to exceed six weeks, with permission to visit the United States.

I am, Sir, your obedient servant,

Jonas A. Springer

Consular Clerk and
Vice Consul General.

Approved
Fitzhugh Lee
U. S. Consul Gen

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REC'D.
NOV 9 '97
DEPT. OF STATE

Habana
Nov. 8. 1897

FORM No. 3.

CABLE MESSAGE.

THE WESTERN UNION TELEGRAPH COMPANY.

INCORPORATED

All CABLE MESSAGES received for transmission must be written on the Message Blanks provided by this Company for that purpose, under and subject to the conditions printed thereon, and on the back hereof, which conditions have been agreed to by the sender of the following message.

THOS. T. ECKERT, President and General Manager.

TWO AMERICAN CABLES FROM NEW YORK TO GREAT BRITAIN.
CONNECTS ALSO WITH FIVE ANGLO-AMERICAN AND ONE DIRECT U. S. ATLANTIC CABLES.
DIRECT CABLE COMMUNICATION WITH GERMANY AND FRANCE.
CABLE CONNECTION WITH CUBA, WEST INDIES, MEXICO AND CENTRAL AND SOUTH AMERICA.
MESSAGES SENT TO, AND RECEIVED FROM, ALL PARTS OF THE WORLD.

OFFICES IN AMERICA:
All Offices (21,000) of the Western Union Telegraph Company and its Connections.

OFFICES IN GREAT BRITAIN:

LONDON:
No. 21 Royal Exchange, E. C.
No. 109 Fenchurch Street, E. C.

LIVERPOOL: No. 8 Rumford Street.
GLASGOW: No. 29 Gordon St. and No. 4 Waterloo St.
BRISTOL: Backhall Chambers.

4.54 pm

NUMBER	SENT BY	REC'D BY	No. OF WORDS	FROM
3	Cm ws		10	Govt Havana

RECEIVED at Washn DC Nov 8 1897

Nov 8 assistant Secretary State
Washn DC
Trial Suspended
Springer

3rd. ASST. SECRETARY
NOV 9 1897

Confirmed
Nov. 10, 1897.

Mr. Chilton
ack & file

mjr.

No. 694.

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REC'D.
NOV 13 '97
DEPT. OF STATE

ASSISTANT SECRETARY
NOV 15 1897
DEPARTMENT OF STATE.

U. S. CONSULATE GENERAL.

HABANA, Nov.8th,1897.

Mr. SPRINGER

rec'd Nov. 16, 1897.

TO THE

DEPARTMENT OF STATE

Transmitting a proclamation of the Cuban insurgents in the Pinar del Rio province.

1 Enclosure.

No. 694.

U. S. CONSULATE GENERAL.

HABANA, November 8th, 1897.

Honorable William R. Day,

Assistant Secretary of State,

Washington.

Sir:

I have the honor to transmit herewith a copy and translation of a recent proclamation of the Cuban insurgents in the Pinar del Rio district, which may prove of interest to the Department.

I am, Sir, your obedient servant,

Joseph H. Springer.

Vice Consul General.

1 Enclosure:

No. 1. Copy and translation of proclamation referred to.

Enclosure No.1.

With Despatch No.694.

H A B A N A , November 8th,1897.

TRANSLATION.

To the WORLD WHICH CONTEMPLATES OUR WAR.

TO THE GREAT NORTH AMERICAN REPUBLIC.

AND TO THE PATRIOTS OF THE CUBAN EMIGRATION.

Determined more than ever in the attainment of our grand ideals,we manifest to the civilized world the shame and indigna tion which causes us the fact that it could be believed that upon Spain establishing Autonomy in this Island,it would calm our warlike attitude and attract us to peace.

No; we shall not forget the cruel offences of the blood-thirsty Weyler,representative here of the spanish nation,his assasinations of old men,women and children; his conflagrations and pillages; the insults to our families amidst the horror and disgust of the most repugnant scenes; outrages inflicted on humanity and on civilization by brutal soldiery guided by their chiefs for the purpose of exterminating all elements of cuban society; therefore we declare,deeply rooted in our convictions: that we do not accept nor shall we accept any other transaction but that based solely on absolute Independence,which must be agreed upon with our Government and the Assembly of Representa-tives in accordance with article eleventh of the Constitution proclaimed at Jimaguayú on the 16th September 1895 and sworn by the Liberating Army.

The undersigned,Commanding the Western Military Depart-ment,the Chief of the 6th Corps and other Chiefs of same,do hereby publish the above and attest thereto our oath,which we shall seal with our blood,day by day,so long as our Country is enslaved.

Pinar del Rio,October

1897

2.

25th,1897.

J.M.RODRIGUEZ,Major General Commanding the Department,
and others.

CRANE'S
1897

AL MUNDO QUE CONTEMPLA NUESTRA GUERRA,

A LA GRAN REPUBLICA NORTE AMERICANA

Y A LOS PATRIOTAS DE LA EMIGRACION CUBANA.

Firmes cada vez más en la consecucion de nuestros grandes ideales, ponemos de manifiesto ante el mundo civilizado el rubor é indignacion que nos causa el que se pueda creer que España al implantar la Autonomía en esta Isla, pudiera calmar nuestra actitud guerrera y atraernos á la paz.

No; no olvidaremos las cruentas ofensas del sanguinario Weyler, representante aquí de la nacion española, sus asesinatos en ancianos, mujeres y niños, sus incendios y saqueos, nuestras familias vejadas entre el horror y el asco de las más repugnantes escenas, ultrajes inferidos á la humanidad y á la civilizacion por la soldadesca embrutecida guiada por sus jefes al exterminio de todos los elementos que componen la sociedad cubana; así es que arraigados en nuestras convicciones declaramos: que no aceptamos ni aceptaremos otra transaccion que no sea bajo la base de Independencia absoluta, la cual debe ser pactada con nuestro Gobierno y la Asamblea de Representantes, conforme dispone el artículo undécimo de la Constitucion proclamada en Jimaguayú el 16 de Septiembre de 1895 y jurada por el Ejército Libertador.

Los que firmamos, el Jefe del Departamento Militar de Occidente, el del 6.º Cuerpo y los demás Jefes del mismo, así lo publicamos y hacemos fé en nuestro juramento, que sellaremos con nuestra sangre, cada dia, mientras la Patria sea esclava.

PINAR DEL RIO, OCTUBRE 25 DE 1897.

El M. G. Jefe del Departamento, *J. M. Rodriguez.*—El M. G. Jefe del Cuerpo, *Pedro Diaz.*—El Brigr. Jefe A. de la 1a. Division, *Vidal Ducasse.*—El Brigr. Jefe A. de la 2a. Division, *Juan Lorente.*—El Cnel. Jefe A. de la 1a. Brigada de la 1a. Division, *Martin Torres.*—El Cnel. Jefe A. de la 2a. Brigada de la 1a. Division, *Pedro Delgado.*—El Cnel. Jefe A. de la 3a. Brigada de la 1a. Division, *Antonio Varona.*—El Cnel. Jefe A. de la 4a Brigada de la 1a. Division, *Adolfo Peña.*—El Cnel. Jefe A. de la 1a. Brigada de la 2a. Division, *Bernardo Camacho.*—El Cnel. Jefe A. de la 2a. Brigada de la 2a. Division, *Francisco Leyte Vidal.*—El Cnel. Jefe de E. M. del 6.º Cuerpo, *Francisco Peraza.*—El Tte. Cnel. Jefe del Despacho del Departamento, *Miguel Iribarren.*—El Cnel. Jefe del Despacho del 6.º Cuerpo, *Luis Lopez Marin.*—El Cnel. Jefe de Sanidad del Cuerpo, *Dr. Hugo Roberts.*—El Tte. Cnel. Jefe de Sanidad de la 1a. Division, *Dr. Modesto Gomez Rubio.*—El Cdte. Srio. del Jefe del Cuerpo, *Miguel Llaneras.*—El Cdte. Jefe de E. M. de la 1a. Division, *Andrés Pillot.*—Jefes de Regimientos y Batallones: Coroneles *Francisco Fleites, Pedro Saenz, José Castillo, Manuel Laso.*—Ttes. Coroneles: *Alfredo Despagne, Simeon Armenteros, Rafael Benitez, José A. Soria, Emeterio Suarez, Francisco Zabala, Federico Nuñez, Juan L. Campillo, Julian Gallo, Luis Perez.*

Es copia del original.—El Mayor General Jefe del Cuerpo,

PEDRO DIAZ.

Mr. Chilton

ack & file

Desp. 695

No. 695.

Recd Nov. 16, 1897.

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U. S. CONSULATE GENERAL.

HABANA, November 10th, 1897.

Mr. ~~KEE~~ SPRINGER

TO THE

DEPARTMENT OF STATE

Respecting the trial of the "Competitor" prisoners.

No. 695.

U. S. CONSULATE GENERAL.

HABANA, November 10th, 1897.

Honorable William R. Day,

Assistant Secretary of State,

Washington.

Sir:

With reference to the trial of the "Competitor" prisoners which, as cabled to the Department, was to have taken place Monday morning, the 8th instant, I learn that the trial had been restricted to the cases of ONA MELTON, and WILLIAM LEAVITT, and was suspended for the reason alleged, of illness of the president of the Court, and there being no other officer of sufficient rank to replace him.

I confirm my telegram reading: "Assistant Secretary State

"Trial suspended.

(Signed) Springer".

I am, Sir, your obedient servant,

Joseph A. Springer

Vice Consul General.

No. 696.

Ack. Nov. 26, 97

U. S. CONSULATE GENERAL.

HABANA, November 11th, 1897.

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Mr. SPRINGER

TO THE

DEPARTMENT OF STATE

Respecting the continued mis-appropiation by the spanish marine autheritiesin Manzanille, and that district, of certain mahogany and cedar lumber belonging to Mr.F.Bauriedel a citizen of the United states.

2 Enclosures.

No. 696.

U. S. CONSULATE GENERAL.

HABANA, November 11th, 1897.

Hon. William R. Day,

Assistant Secretary of State,

Washington.

Sir:

I have the honor to transmit herewith for the information of the Department, and at the request of Mr. F. BAURIEDEL, a citizen of the United States, an established merchant of this city, a letter from him with enclosure from his agent in Manzanillo to the U.S. Consular Agent at that place, respecting the continued mis-appropiation by the spanish marine autherities in Manzanillo, and that district, of certain mahogany and cedar lumber belonging to him in the Eastern Department. He has already filed at the Department of State a claim against the Spanish Government for the want of protection to his property, and demands an indemnity of $80.000 for losses thereof and damages to his interests. This claim was transmitted in despatch No. 464 of May 6th, 1896.

I am reminded by this case of the attempt made by this office, under instruction No. 134 of October 20th, 1896, to obtain from the General Government, permission for Mr. JOSÉ SALAVADOR FLURIACH, an American merchant of Santa Cruz del Sur to sew lumber from Boca de Sevilla to Santa Cruz or Manzanillo, for export.

The action of this office and the reply of the Acting Captain General, was reported to the Department of State in despatch 217, of Nov. 14, 1896.

As Mr. FLURIACH was known to have been a contributor to the Cuban Junta funds in New York, for protection from the

insurgents,it was not deemed convenient to further press his case upon the Government here.

I am,Sir,your obedient servant,

Edward N. Springer.
Vice Consul General.

2 Enclosures:

No.1- Mr.Bauriedel's agent at Manzanillo to the consular agent of the United States at that place.

No.2- Messrs.F .Bauriedel & Co to Mr.Springer.

Enclosure No. 1696

With Despatch No.

HABANA, November 11 1897.

Copy translation.

Manzanillo, 2 November, 1897.

William Stakeman, Esq.,

U.S. Consular Agent,

Manzanillo.

Sir: Again I have to address you, as representative of Federico Baurisdel & Co., of Habana, whose chief partner is an American citizen, to ask you to take note at this consulate that again spanish men of war have brought in woods belonging to said firm, denying our property rights, as you will see from details given in next paragraph.

On the 31st of last month there arrived at this port the spanish schooner "Carmita" having on board several pieces of cedar. On receiving notice thereof I went to the wharf and finding that 3 of the legs were the property of the firm I represent, I wanted to enforce the property rights of same, but Mr. Melcher Xiques, the captain and owner of said schooner, showed me documents signed by the commander of the pontoon "Maria" and another by the commander of the gun boat "Centinela in which they state that the wood is their property and order it to be cut up in the sawmill of this place.

Of which facts you will please take note and verify them by going to the offices of the Marine Commander of this port and the wharf called "Rocca's" where the said pieces are with our brands very clear.

I am, etc.

(Signed) Pedro Tapia.

Enclosure No. 2
With Despatch No. 696
HABANA, November 11. 1897.

COPY. HABANA, 8th November, 1897.

J.A.Springer, Esq.,

Acting Consul General of the United States,

Habana.

Sir:

When on the 4th of May of this year, the writer filed a claim at your office against the Spanish Government for losses suffered through want of protection and obstacles created by same to him, on property in the Eastern Department, he omitted to include - for want of conclusive proofs that he could have submitted at the time - that some of the logs pertaining to him and branded as his property, had been fished up by spanish gunboats and in spite of the representation of his power of attorney, not been given up to him.

The fact repeated itself some months ago and on further representation the Marine authorities in Manzanillo gave promise to prevent it in the future.

Now, as you will please see from the enclosed copy of a letter to the American vice consul two more instances have occurred where Commanders of spanish men of war have taken hold of our property and apparently appropiated it to their own private interest.

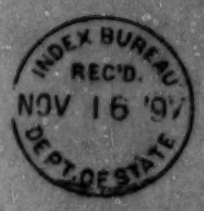
It would not suit our interests to have the matter pushed here at present with the authorities, as this would certainly put a stop to any hope we still have to save any of the wood that may drift out of the Cauto River - as we should naturally incur the emnity of the spanish marines - but we wish to have

the fact known at your office in reinforcement of our claim and also think it may be of interest to the Secretary of State to learn of this extraordinary instance of what becomes of American property in the Island of Cuba.

We remain etc.

(Signed) Federico Baurriedel & Co.

No. 697.



U. S. CONSULATE GENERAL.

HABANA, Nov.11,1897.

Ackd. Instr. 19-/97.

Mr. ~~HEE~~ SPRINGER

TO THE

DEPARTMENT OF STATE

Claim of the American citizen JOAQUIN PEREZ CRUZ.

1 Enclosure

No.697.

U. S. CONSULATE GENERAL.

HABANA, November 11th,1897.

Hon.William R.Day,

Assistant Secretary of State,

Washington.

Sir:

At the request of Mr.JOAQUIN PEREZ CRUZ,a citizen of the United States,I have the honor to transmit herewith a copy of a declaration made by him before me on the 9th instant,in amplification of his claim against the Spanish Government for damages and injuries to his property in Cuba,which was forwarded to the Department of State through this office in despatch number 2948,dated May 6,1896.

I am,Sir,your obedient servant,

Vice Consul General

1 Enclosure:

Copy of declaration referred to.

Enclosure No.1
With Despatch No.697.
H A B A N A , November 11,1897.

U. S.CONSULATE GENERAL.

HABANA,November 9th,1897.

BE IT KNOWN that on this ninth day of November,1897 before me,the undersigned,Vice Consul General of the United States at Habana,Cuba,personally came JOAQUIN PEREZ CRUZ,a citizen of the United States,and at present residing in this city,and declared that in amplification of certain declarations made by him before this Consulate General,on the 4th May ,1896,in the matter of a claim he had established in his name and in the name of his wife JOSEFA LUISA RODRIGUEZ GALLO de PEREZ, through the Government of the United States against the Government of Spain for damages and injuries done to his property and interests in this Island of Cuba,and claiming indemnity therefor,he now desires to make certain additions to the said claim of matters, which by involuntary omission were overlooked by him at the time of making the aforesaid sworn statement of May 4th, 1896,to wit: that he also claims for the value of two hundred and sixteen bulls,and forty four cows,which belonged to himself and wife,and formed part of the stock of the "San José" farm,and are estimated to have been worth $46.50 - per head,a sum total of $10.044,gold, which was included in the valuation then made of said farm,but by an error in copying,the number of head of cattle was not noted.

That he believes it convenient to make known,that on the farms described,there were large numbers of heads of horned cattle,horses and swine,to which no price is here fixed,nor are they taken into account in this claim,

because they were the property of the lessees of the different farms, but are mentioned to shew that the farms, having been leased to sundry parties for terms of three, four, five and seven years, respectively, their leases, notwithstanding the fact that they had been drawn up and executed according to all established legal forms, and were entitled to the protection of the laws, were cancelled by the edict issued by General WEYLER on the 10th of February, 1896, in which he ordered the abandonment of all farms and their stock, and the reconcentration in towns of the country people at the head of such interests. The reconcentration order was carried out, all property was abandoned, and the lessees finding themselves by said edict unable to meet the obligations of their leases, exacted the annullment of their contracts, and there was no recourse against it, as it was impossible to elude the orders of the Governor General. Consequently said decree not only brought about the loss of the stock belonging to this appearer and his wife, but also the considerable revenue which was assured to them for some years by documentary contracts made under the laws; contracts that became null and void by reason of the stupid and violent decree of General Weyler, which in the same manner originated the destruction by fire of buildings, fences, fields, farms and all improvements existing thereon.

This appearer also declares that many head of cattle belonging to himself and wife, have been seized by government troops in their raids throughout the country; and that others have been seized and consigned to the Ayuntamiento or city authorities of Habana, to the order of General WEYLER, and sold without the knowledge or consent

of this appearer or his wife, and without receiving any compensation for their property.

And this appearer further declares that these statements are not intended to increase the amount of his claim as stated in his declaration aforesaid of the 4th May, 1896, as the same although not expressed are calculated and comprised in the total therein given. That his purpose is solely to cover the omissions therein then made by the declarations and data now made, that they may be taken and considered, not as a separate and distinct reclamation but as forming part of that made by him on the 4th of May, 1896.

(Signed) Joaquin Perez Cruz.

Josefa Luisa Rodriguez Gallo de Perez,

Thus subscribed and sworn to before me, this ninth day of November, 1897.

(Signed) Vice Consul General.

Vice Consul General.

A true copy.

2D ASSISTANT SECRETARY,
NOV 23 1897

No. 698.

U. S. CONSULATE GENERAL.

Ans. Nov. 24
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HABANA, November 12th, 1897.

3rd. ASST. SECRETARY.
NOV 24 1897

Mr. ~~LEE~~ SPRINGER

TO THE

DEPARTMENT OF STATE

Transmitting two recent decrees of General Blanco.

2 Enclosures.

No. 698.

U. S. CONSULATE GENERAL.

HABANA, November 12th, 1897.

Hon. William R. Day,

Assistant Secretary of State,

Washington.

Sir:

I have the honor to transmit herewith copies and translations of two recent bandos or decrees of the Governor General; one respecting the general pardon proclaimed, and the other, the promotion of all kind of agricultural labors, directed specially to making the coming sugar crop.

1/2

I am, Sir, your obedient servant,

Frederick Springer

Vice Consul General.

2 Enclosures:

No. 1- Proclamation respecting the general pardon proclaimed.

No. 2- do. do. promotion of agricultural labors etc.

Enclosure No.1
with Despatch No.698.
H A B A N A , November 12,1897.

TRANSLATION.

D E C R E E.

Don RAMON BLANCO y ERENAS,Marquis of Peña Plata,Governor and Captain General of ths Island of Cuba etc. etc.

In the exercise of the ordinary and extraordinary powers pertaining to my office and faithfully interpreting the magnanimous sentiments of H.M.the Queen Regent and firm purpose of the Government of the Nation,I have been pleased to instruct as follows:

1.- Total pardon of the penalty which may correspond, according to the second volume,sixth title,first chapter of the Code of Military Justice,to all accused not responsible of any common offence,independent of that of rebellion,committed for vengeance,for personal gain,or against morals.

Those comprised in the above mentioned case shall be pardoned,as regards the crime of rebellion,but shall be prosecuted as regards the said common crimes.

2.- Those serving sentence for the crimes and under the conditions stated above,shall also be pardoned,to the extent which may be deemed convenient,even so far as extinguishing the whole penalty imposed.

3.- For the purpose of complying with the previsions of paragraph 1,proper orders shall be issued through this captaincy general and the military judicial authorities of the Island in order that through the judges ofinstruction the proceedings instituted by reason of said crimes shall be referred to them,in whatever state the said proceedings may be, with abbrief synpsis of their result naming the crime or crimes

Enclosure No. 1
With despatch 678.

and the persons appearing responsible. Each judge of instruction shall forward the proceedings with a report of same.

4.- For due observance of the provisions contained in the 2nd paragraph, the General Government is requested to order the chiefs of penal establishments in which those comprised in this decree may be serving their sentences to forward in duplicate applications for pardons with report of the conduct observed by those comprised in same.

The proper regulations are issued under this date in order to carry out the foregoing.

Habana, 7 November, 1897.

RAMON BLANCO.

Enclosure No. 1
With dispatch 698

Enclosure No. 1
With Despatch

H A B A N A

TRANSLATION

GENERAL ORDER OF CUBA.

I, Don [illegible] uis of Peña Plata, Gevern-
or General of [illegible] etc.

DO HEREBY

That [illegible] ll possible means the
labors of ag[illegible] rotection to the general
production of [illegible] d with what has been
ordered by th[illegible] in chief of the Army
in all refer[illegible] property and the labors
of reconstru[illegible] pecting the sugar
industry and [illegible] agricultural work, I
have been pl[illegible]

FIRST:- [illegible] dent upon this General
Government, s[illegible] nal support to the
owners of fa[illegible] te protection from the
military aut[illegible] that they may peacefully
take off the[illegible] vest of all kinds of
produce wit[illegible] ties of any kind what-
soever.

SECOND [illegible] hall endeavor to influence
those parti[illegible] ct to making the crop,
and offer t[illegible] them with the forces
that the mi[illegible] necessary for the gather-
ing of thei[illegible] of the grinding season.

THIRD: [illegible] agricultural labor is
more extend[illegible] rop is made in greater

DIARIO DE LA MARINA

OFICIAL

BANDO

DON RAMON BLANCO Y ERENAS, Marqués de Peña-Plata, Gobernador y Capitán General de la Isla de Cuba y General en Jefe del Ejército de operaciones.

Hago saber: Que en los periódicos ordinarios de esta capital correspondientes al [illegible] se publicó el [illegible] Real Decreto de S. M. la Reina Regente, refrendado por el Ministro de Ultramar, que dice así:

1º Quedan suspensas las penas [illegible] pendientes, por delitos [illegible] el tratado se [illegible] pendiente primero [illegible] Julio, á todos [illegible] que se encuentren [illegible] suspendidas [illegible] del de rebelión, cometidos en esta [illegible] Se exceptúan de [illegible] á los [illegible] personas [illegible] que atentaren á la [illegible]

Enclosure No.2.

With Despatch No.898.

H A B A N A , November 11th,1897.

TRANSLATION.

GENERAL GOVERNMENT OF THE ISLAND OF CUBA.

I,Don RAMON BLANCO y ERENAS,Marquis of Peña Plata,Governor General of the Island of Cuba, etc. etc.

DO HEREBY make known:

That determined to promote by all possible means the labors of agriculture,granting every protection to the general production of the country,and in accord with what has been ordered by the Captain General,General in chief of the Army in all referring to the protection of property and the labors of reconstruction,especially those respecting the sugar industry and the reorganization of all agricultural work, I have been pleased to order as follows:

FIRST:- All the authorities dependent upon this General Government,shall give their unconditional support to the owners of farms,obtaining the requisite protection from the military authorities,for the purpose that they may peacefully take off their stock,and make the harvest of all kinds of produce without obstacles or difficulties of any kind whatsoever.

SECOND:- The civil authorities shall endeavor to influence those parties who are timid with respect to making the crop, and offer them the assurance of aiding them with the forces that the military authority may deem necessary for the gathering of their produce and the success of the grinding season.

THIRD:- These districts in which agricultural labor is more extensive or those wherein the crop is made in greater

properties, shall at once be most specially and efficiently attended to by all those in authority.

FOURTH:- All agricultural and industrial labor shall be permitted even in those farms which have not paid up their taxes.

FIFTH:- For the purpose of facilitating business relations between the planters and agriculturists and trade, all those war measures hitherto in force with respect to farming implements, machinery, manufactures, utensils, fixtures and effects intended for agriculture in general and for the sugar industry in particular, are hereby abolished.

SIXTH:- The special authorization granted to railroad companies to increase their rates twenty per cent, is also abolished.

SEVENTH:- Every official who shall aid towards the faithful observance of these regulations, shall receive the reward which he may deserve in proportion to the zeal displayed for the rapid reconstruction of the country and its economic reorganization.

Habana, November 10th, 1897.

RAMON BLANCO.

GOBIERNO GENERAL DE LA ISLA DE CUBA

ON RAMON BLANCO Y ERENAS,

Marqués de Peña Plata y Gobernador General de la isla de Cuba, etc., etc.

Hago saber: Que resuelto á promover por todos los medios posibles el trabajo agrícola, dispensando toda protección á la producción general del país, de acuerdo con lo dispuesto por el Capitán General y General en Jefe de este Ejército, en lo referente al amparo de las propiedades y de los trabajos de reconstrucción, especialmente los relativos á la industria azucarera y á la reorganización de las faenas agrícolas, he tenido á bien disponer lo siguiente:

Primero. Todas las Autoridades dependientes de este Gobierno general, prestarán su incondicional apoyo á los dueños de fincas, impetrando la necesaria protección de las Autoridades militares, con el fin de que pueda hacerse tranquilamente la zafra, recoger el ganado y hacer la cosecha de toda clase de frutos sin obstáculos ni dificultades de ningún género.

Segundo. Las Autoridades civiles procurarán decidir á los particulares que se muestren temerosos para hacer la zafra, ofreciéndoles la seguridad de realizarla con las fuerzas que se estimen necesarias por la Autoridad militar, para la recolección de sus frutos y el éxito de la molienda.

Tercero. Aquellas comarcas en que el trabajo agrícola esté más extendido, ó en las que la zafra se realice en más grandes proporciones, serán desde luego más especial y eficazmente atendidas, por toda clase de Autoridades.

Cuarto. Quedan autorizados todos los trabajos agrícolas é industriales aun en aquellas fincas que no estén al corriente en el pago de sus contribuciones.

Quinto. Con objeto de facilitar las relaciones mercantiles entre los hacendados y agricultores con el comercio, quedan derogadas todas aquellas medidas de guerra anteriormente adoptadas con relación á los aperos de labranza, maquinarias, artefactos, utensilios, enseres y efectos destinados á la agricultura en general y en particular á la industria azucarera.

Sexto. Queda igualmente derogada la autorización especial concedida á las empresas ferrocarrileras para aumentar en un 20 por ciento el precio de sus tarifas; y

Séptimo. Todo funcionario que coadyuve al fiel cumplimiento de estas disposiciones, merecerá la justa recompensa á que se haga acreedor en proporción al celo que demuestre por la pronta reconstrucción del país y su reorganización económica.

Habana, 10 de Noviembre de 1897.

Ramón Blanco.

No. 699.

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U. S. CONSULATE GENERAL.

HABANA, November 12th, 1897.

Mr. ~~Lee~~ SPRINGER

TO THE

rec'd Dec. 20, 1897.

DEPARTMENT OF STATE

Relative to the pardon of AGRAMONTE and SAINZ at Santiago de Cuba.

No.699.

U. S. CONSULATE GENERAL.

HABANA, November 12th,1897.

Hon.William R.Day,

Assistant Secretary of State,

Washington.

Sir:

Learning by a letter received from the U.S.Vice Consul at Santiago de Cuba,dated the 6th instant,that the Spanish authorities at that place seemed to be ignorant of the pardon of AGRAMONTE and SAINZ,telegraphed by me on the 26th ultimo, I called on the Secretary General Dr.Congosto,and obtained from him the transmission of a cablegram through the Captaincy General ordering the immediate compliance of the order respecting the pardon (indulto) of said AGRAMONTE and SAINZ. A demand is also made for the reason of the delay and the Secretary promises to advise this office of the result.

I am,Sir,your obedient servant,

Fernando A. Hercinger

Vice Consul General.

Copy.

No. 700.

Dft. Nov. 30. 1897

A&R filed

U. S. CONSULATE GENERAL.

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HABANA, November 13th, 1897.

Mr. [redacted] SPRINGER

TO THE

DEPARTMENT OF STATE

Case of the "COMPETITOR" and reason of the suspension of the trial.

No. 700.

U. S. CONSULATE GENERAL.

HABANA, November 15th, 1897.

Honorable WILLIAM R.DAY,

Assistant Secretary of State.

Washington. D. C.

Sir:

Referring to my dispatch No.695 of the 10th instant,relative to the trial of the two Americans,ONA MELTON and WILLIAM LEAVITT,of the "COMPETITOR" crew,and the reason alleged for the suspension of the trial which had been set down for the 8th instant, I have to inform the Department that hearing a report that the suspension had been due to the protest of H.B. M's Consul general at this place, I called upon him to learn if such was the fact.

Mr.GOLLAN disclaimed any intention of intervening in the case in any way,declaring that he was satisfied with the promised protection of the American flag for the British subjects who had formed part of the crew,but that in June last,when it was stated that the trial would soon take place of the American citizens and others,separately,he had communicated the facts to the Foreign Office and had been telegraphed by Lord SAULSBURY under date of July 17th,that an agreement had been made between the British and Spanish governments that the British subjects should have the same treatment, and trial at the same time as the Americans. Consequently,when he saw by the newspapers of Saturday,the 6th instant,that the trial of two Americans would take place on the Monday following,he called upon the Admiral here to remind him of the agreement with the British Government and then learned that it had never been communicated from Spain to the marine authorities here, and the Admiral was completely ignorant of the matter. Mr.GOLLAN then stated that if the trial were allowed to proceed,it would be

his duty to protest. The Admiral telegraphed to Spain ,with the result that the trial was suspended.

Last Thursday evening, the Secretary of the General Government informed me that the "COMPETITOR" crew would be embraced in the general indulto or pardon proclaimed by the Governor General, but as the case pertained to the Marine or Navy Department, it was merely a matter of procedure and more or less time before the pardon papers would be made out.

I am, Sir,

Your obedient servant,

Joseph D. Springer

Vice Consul General.

No. 701.

Adk. 100. 30, 1897

To Mr. Cail Jan 31.

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CHF. CLKS. OFFICE
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U. S. CONSULATE GENERAL.

HABANA,

November 13th, 1897.

Mr. SPRINGER

TO THE

DEPARTMENT OF STATE

Transmitting a claim for indemnity, etc filed by

Mr. JOSÉ DOMINGO MASSES.

----------o----------

No 1.

U. S. CONSULATE GENERAL.

HABANA, November 13th, 1897.

Honorable WILLIAM R. DAY,

Assistant Secretary of State.

Washington. D. C.

Sir:

I have the honor to transmit herewith a copy of a declaration and protest embracing a claim for indemnity against the Spanish Government in the sum of ~~one~~ hundred and eighty five thousand three hundred and thirty eight 87 1/2/100 $185,338.87 1/2 gold, filed in this consulate general by Mr. JOSÉ DOMINGO MASSÉS, a citizen of the United States.

I am, Sir,

Your obedient servant,

Joseph A. Springer

Vice Consul General.

Enclosure:

Copy of protest, and claim referred to above.

Enclosure No. 1

With Despatch No. 701.

HABANA, November 11, 1897.

JOSEPH A. SPRINGER, Esquire,

Vice Consul General of the United States,

HABANA.

Sir:

The undersigned JOSE DOMINGO MASSES respectfully represents:--that he is a native of this Island of Cuba 38 years of age, married, a civil engineer by profession, and part owner of the plantation "Dos Amigos", situated in the district of San Juan de los Remedios; that he is a naturalized citizen of the United States and became naturalized in the city of Troy, State of New York, at the Rensselaer County Court, on the 25rd May, 1881. That he obtained a passport from the Department of State, number 1622, dated June 6, 1881, which he had visaed by the Spanish Consul in New York on the 20th June, 1881, and came to Cuba, during that same month, taking up his residence in Matanzas; that he registered himself at the office of the Civil Government of that Province on the 9th July, 1881, in the Register of Foreigners. That he is registered in the United States Consulate General at Habana under the number 3634, on the 5th December, 1885, having been previously gone to the United States and returned to Matanzas, Cuba, on July, 1882. That in 1885 he removed to Remedios, and there took up his residence, and was married there in 1887. In 1888, he became the half owner of the sugar plantation and factory, including a brick and tile yard, a grazing farm and cane fields called the "Ingenio DOS AMIGOS", situated in the "barrio" or ward of Sagua la Chica, municipal district of Las Vueltas,

pertaining to the district of San Juan de los Remedios,- and distant about eighteen miles from Las Vueltas. The title deed of this property No.279,was drawn up before the Notary Public Nicolas de Ortega of Habana,on the 7th July,1888,and is recorded in the Register of Deeds of Remedios.

That upon the commencement and during the present revolutionary troubles now agitating this Island,he has kept aloof from any participation therein,but remained up on his property as long as possible to do so with safety, acting as the administrator or manager of its affairs,and has punctually and as far as possible paid the taxes and other dues exacted by the Government on his property,and observed all the laws of Spain in these dominions and especially these laws of neutrality incumbent upon him to observe as a citizen of the United States.

But that in consequence of the said troubles,his property suffered considerable loss and damage to its fences,stock and machinery,and like many other planters of the locality,being forbidden by the insurgent forces t to do any kind of work thereon under threat of complete destruction,and lacking the protection of the Government troops,the nearest detachment of which was stationed at the small village of "El Santo" three miles distant,and separated by the deep river of Sagua la Chica,he found himself unable to grind any cane to make his crop,or continue the manufacture of bricks and tiles,the place became unproductive and his personal safety becoming insecure,he was forced to abandon it and take up his residence in Remedios,leaving everything for a while in

charge of Mr.Juan Godoy,who remained on the place with a number of refugees from neighboring farms.

An order dated the 30th January,1897,was issued by the Government commanding the removal within eight days of all persons,with their cattle and effects into the fortified towns or precints,and thereby further deprived the property of protection,leaving it at the mercy of marauders.

That on Saturday the 13th of February,1897,a column of spanish troops under command of general MONTANER,of the Sagua la Grande division,province of Santa Clara,burned four houses belonging to tenants (colonos) of the "DOS AMIGOS" plantation. About the 18 February all the houses of the "colonos" inn the plantation were destroyed by fire and also a store house used as an almacen or deposit for sugars of the plantation situated on the bank of the Sagua la Chica river,at a place called "La Puntilla". That on the 20th February,an insurgent force commanded by a Major ASEMILEY came on the place,at about eight o'clock at night,and burned the brick and tile yard,and all the machinery and apparatus for the grinding and making of sugar,and all the buildings of the estate "DOS AMIGOS". These persons who were driven from their homes and witnessed the fire,and can testify to these facts are Don AMADOR FERRER (14 years of age) and JUAN FERRER (12 years of age). The persons left in charge of the place,Don JUAN GODOY,MANUEL GODOY (16 years) Don PABLO NODARSE and Doña JUANA GUEVARA de FERRER EMILIA FERRER Y GUEVARA,Doña LUISA FERRER DE GODOY,Doña MARIA GONZALEZ de NODARSE,the negro Eusebio Ruiz,and two chinese known as JUAN and PERICO and all the immediate surviving neighbors who witnessed the fire.

That he estimates the losses and damages done to the said plantation "DOS AMIGOS",and its connected interests in its buildings,machinery,brick and tile yard,fences, loss of crop,manufactures,cane fields and products,live stock,furniture and household effects,a vessel and a railway ,etc.,by the ravages of the insurgents,and the lack of protection from the Spanish Government and the depredations of the Spanish troops,who have wilfully and wantonly destroyed his property,to reach the amount of $370.677.75/100,according to a careful estimate and appraisement made thereof and copy of which he annexes to this declaration and claim,of which he is the owner of one half.

WHEREFORE the said appearer,as the owner of one half of said plantation "DOS AMIGOS",and all its appurtenances doth solemnly and publicly protest against the Spanish Government in this Island,and against all others whom it doth or may concern for the aforesaid losses and damages to his property and interests which he has sustained is now suffering or may hereafter suffer,by reason of the facts herein set forth,which have occurred on account of the present state of affairs in this Island and the lack of protection from the Spanish Government and not by or through any fault or neglect on the part of this appearer. And this appearer further believes and declares that he is entitled to demand and receive from the Spanish Government an indemnity for the aforesaid damages,losses and injuries to his property and interests equal to the one half of the amount stated,or be it ONE HUNDRED and EIGHTY FIVE THOUSAND THREE HUNDRED and THIRTY EIGHT DOLLARS,eighty seven and a half cents in

Spanish gold: $185.338.87 1/2 cents and interest thereon until time of payment and deth hereby make formal demand and claim for the said amount of indemnity.

Signed Jose Domingo Masses.

U.S.CONSULATE GENERAL.

HABANA, November 11, 1897.

BE IT KNOWN that on this eleventh day of November, 1897, before me, the undersigned Vice Consul General of the United States of America at Habana, personally appeared Mr. JOSE DOMINGO MASSES, a citizen of the United States, to me personally known and known to me to be the person named in and who subscribed the foregoing instrument of the nature of a protest and claim for indemnity against the Spanish Government and being duly sworn deposed unto the same and declared that the facts therein set forth are true.

Witness my hand and the seal of this Consulate General at Habana, this eleventh day of November, 1897.

Seal

(Signed) Joseph A. Springer.

Vice Consul General.

A true copy:

Joseph A. Springer

Vice Consul General

APPRAISEMENT of the plantation "DOS AMIGOS situated in the district of Sagua la Chica,municipality of San Antonio de las Vueltas and jurisdiction of Remedios.

BUILDINGS:-

One sugar house ,composed of a main body 11.42 metres long from East to West with an inner shed upon the north side 42.63 metres long by 7.245 metres wide, and another upon the opposite side of the same dimensions . Joining these tow outer sheds upon either side of the building,one 25.63 metres long by 6.27 metres wide and the other 42.63 long and of the same width.

There was also a shed upon the eastern end to cover the cane mill engine 11.7 metres long by 6.13 metres wide,and another upon the opposite end of the same dimensions which covered the stoke holes of the boiling house.

The whole building had hard wood (júcaro) posts and was roofed with tiles.

This building is appraised in the sum of $20.000

Item. One megass house 18.95 metres long by 11.27 wide,with hard wood posts and tiles roof of double pitch. Appraised in the sum of " 2.000

Item. One dwelling house of stone and brick walls,with tile roof and piazza front and back one story high and dimensions over all of 42 metres long by 37-614 metres wide. Appriased in the sum of "10.000

Item. One building in the dwelling house yard built of wood,with the roof,containing dove-cote and bath house. " 200

$32.200

$32.200

Item. One masonwork detached kitchen, with tile roof. Appriased in the sum of " 500

Item. One wooden building with tile roof 23.96 metres long by 10.51 metres wide used as Chinese quarters. " 2.250

Item. One detached kitchen for the contractor's gang 5.08 metres long by 2.54 metres wide. Appraised in the sum of " 250

Item. One wooden house 40 metres long by 10 metres wide with double pitch tile roof used as quarters for field hands. Appraised in the sum of "1.000

Item. One large plataform "Howe" scale for wighing loaded cane carts, built of wood with tile roof and containing dwelling for the cane weigher. Appraised in the sum of " 1.500

MACHINERY:-

One steam engine of 14 1/2 inch diametre of cylinder, and 4 feet stroke with bed plate 26 feet long and 3 feet 4 inches wide. Fly wheel 18 feet diametre. One cane mill with rolls 5 feet 3 inches long and 26 inches diametre. Spur wheel 18 feet diametre with 17 inches pinion. One cane carrier 62 feet long with 1/2 inch iron chains. One megass carrier 42 feet long. One donkey pump for feeding the boilers 1 1/2 inches diametre. One steam juice pump 6 3/4 inches bore and 12 inches stroke. One Douglass pump for draining fly wheel pit. Two steam boilers 30 feet long and 5 1/2 feet diametre with two flues each of 21 $37.700

$37.700

inches diametre. Appraised in the sum of "20.000

BOILING HOUSE:-

Three Jamaica trains with 5 kettles each of 6 feet diametre. Eight copper juice clarifiers. Twenty four sugar coolers. Three clarifiers for skimmings,with their tank and 3 filter presses. One steam pressure juice elevator or "Montjus". All appraised in the sum of "23.500

Item. Two water tank each 17 feet long,9 feet wide and 6 feet deep,made of 1/4 inch boiler plates,set upon high brick walls. Appraised in the sum of " 500

Item. A full set of machinist,blacksmith and engine tools for repairs. Appraised in the sum of " 400

BRICK and TILE YARD:-

One wooden tile house with tile roof for the manufactory of bucks and tiles composed of a main body and five sheds,divided into 3 stories by 2 boards floors for dying raw bricks and tiles. The first floor having a surface of 647.194 square metres. The main body of the building where the third floor is located has a double pitched roof raised some distance above the roof of the adjoining sheds and the intervening space covered with blinds for ventilation. This main body is 25.44 metres long by 8.48 metres wide. The second floor a surface of 456.9 metres and the third a surface of 215.93 metres making in all a total of 1320.028 square metres. The second floor taking $82.100

$82.100

in the main body and the first surrounding shed is also provided with persian blinds, and is 25.44 metres long by 17.96 metres wide. The first or ground floor which embraces the whole building is 25.44 metres long on all sides, and these are also covered with blinds for ventilation. All the posts of the building are of hard wood (júcaro) mounted upon mason work bases, and the tie beams are all of yellow or pitch pine plank 12 by 3 inches bolted to the posts. All these floors are provided with shelves and trays for the unburnt stock. The first floor is provided with a narrow gauge rail road track for moving the same to the kilns.
Appraised in the sum of "15.000

Item. One wooden house for mixing clay 17.76 metres square with tile roof containing the mixing machine, which is surrounded by another narrow gauge track for transportation of the prepared clay to the drying and moulding house.
Appraised in the sum of " 2.000

Item. Three narrow gauge cars for moving tiles and bricks to and from the kilns.
Appraised in the sum of " 375

Item. Two brick and tile kilns with capacity of ten thousand bricks each.
Appraised in the sum of " 5.000

Item. One narrow gauge rail way track from the kilns to the wharf 3/4 of a kilometre long. ---------

$104.475

		$104.475
Appraised in the sum of	"	3.750
Item. One wooden building with double pitch tile roof used for dwelling house of the overseer and laborers quarters,11.87 metres long by 6.78 wide. Appraised in the sum of	"	500
Item. One detached wooden kitchen with tile roof 5.08 metres long by 2.54 metres wide . Appraised in the sum of	"	150
Item. One horse power machine for suppliying the plantation and tile house with water with a double stroke pump 6 inches bore and 24 inches stroke. Appraised in the sum of	"	2.000
Item. One wharf 7 metres long built upon piles with its derrick for loading barges. Appraised in the sum of	"	3.000
Item. One wooden streage house for the products of the state 15.26 metres long by 5.94 metres wide,with tile roof,wharf and derrick situated upon the banks of Sagua la Chica fiver at a place called "Puntilla". Appraised in the sum of	"	3.000
Item. One detached wooden kitchen with tile roof 5 metres long by 2.5 metres wide situated adjoining the aforesaid store house at "Puntilla". Appraised in the sum of	"	150
Item. One wooden calf pen with tile roof		
		$117.025

$117.025

8 metres long by 6 metres wide.

Appraised in the sum of " 1.000

Item. One wooden market gardiner's house with double pitch tile roof 5.94 metres long by 4.24 metres wide.

Appraised in the sum of " 300

TENANTS FARMER'S BUILDINGS:

Item. One wooden house with tile roof detached kitchen and corn cribb, occupied by Don Manuel Sanchez.

Appraised in the sum of " 1.200

Item. One wooden thatched roof dwelling house with detached kitchen and corn cribb, occupied by Don Camilo Ruiz. Appraised in the sum of " 500

Item. One wooden thatched roof dwelling house with detached kitchen and corn cribb occupied by Don Carlos Ruiz. Appraised in the sum of " 400

Item. One wooden house with thatched roof on the main body with a tile roof of piazza, a detached kitchen and corn cribb occupied by Don Gervasio Cespedes.

Appraised in the sum of " 600

Item. One wooden house with thatched roof detached kitchen and corn cribb occupied by Don Irene Varona. Appraised in the sum of " 300

$121.325

$121.325

Item. One wooden dwelling house with thatched roof detached kitchen and corn cribb, occupied by Don Lino Cabarrecas. Appraised in the sum of " 300

Item. One wooden dwelling house with thatched roof detached kitchen and corn cribb, occupied by Dña Rosa Ruiz. Appraised in the sum of " 300

Item. One wooden dwelling house with thatched roof detached kitchen and corn cribb, occupied by Don Resendo Gonzalez. Appraised in the sum of " 300

Item. One wooden dwelling house with thatched roof, detached kitchen and corn cribb occupied by Don Resendo Ruiz. Appraised in the sum of " 300

Item. One wooden dwelling house with thatched roof detached kitchen and corn cribb, occupied by Don Onofre Abreu. Appraised in the sum of " 250

Item. One wooden dwelling house with thatched roof detached kitchen and corn cribb occupied by Don Anicete Ruiz. Appraised in the sum of " 300

Item. One wooden dwelling house with tile roof detached kitchen and corn cribb also of wood with tile roof occupied by Don Jose Ruiz. Appraised in the sum of " 500

$123.575

$123.575

Item. One wooden dwelling house with thatched roof detached kitchen and corn cribb occupied by Don Jose Martinez. Appraised in the sum of " 300

Item. One wooden dwelling house with tile roof detached kitchen and corn cribb, also of wood with tile roof occupied by Don Jose Valle. Appraised in the sum of " 500

Item. One dwelling house with detached kitchen and corn cribb all constructed of wood with tile roof occupied by Don Manuel Delgado. Appraised in the sum of " 800

Item. One wooden dwelling house with detchaed kitchen and corn cribb occupied by Don Enrique Veitia. Appraised in the sum of " 300

Item. One dwelling house with detached kitchen and corn cribb all of wood with tile roof occupied by Don Valentin Rodriguez. Appraised in the sum of " 800

Item. One dwelling house in the "potrero" or cattle farm called "Vega del Manchego" built of wood with tile roof and detached kitchen Appraised in the sum of " 800

FECNES:-

One fence which surrounds the "Dos Amigos" plantation is 700 furlongs in length made with three barbed wires and hard wood posts at every three yards distance (barb wire ----------

$127.075

$127.075

costing in Cuba seven and a half dollars gold a roll of 100 pounds) Appraised in the sum of " 3.500

Item. Also a barbed wire fence of the same construction which embraces the cattle farm "Vega el Manchego" of 450 furlongs in length. Appraised in the sum of " 2.250

LOSSES of CROPS and from other sources:

Crop of 1896.

2000 hogsheads of sugar weighing 60 arrobas of 25 pounds each arroba at 4 reals or 50 cents per arroba $60.000

500 hogsheads of molasses at $17 each " 8.500

Crop of 1897.

1500 hogsheads of sugar of 60 arrobas at 50 cents per arroba "45.000

400 hogsheads of molasses at $17 " 6.800

Total: $120.300

Expenses of manufacture. Ten months of crop work during the two years at $1500 each month " 15.000

14 months' field work during the two years at $500 per month 7.000

" 22.000

Total clear loss from this cause. " 98.300

$231.125

$231.125

Less in manufacture of tiles and bricks.

Tile house and brick yard. This factory produced monthly over 30 thousand bricks and 15 thousand tiles. In the 24 months between the 1st of July,1895,and the first of July ,1897,it would have produced 720.000 bricks selling at 20 per xxxxx thousand and leaving a profit of $14 per thousand or a total loss of " 10.080

It would also have produced during the same time 360.000 tiles,selling at $30 per thousand, leaving a profit of $21 per thousand or a total loss of " 7.560

There were also in stock 100 thousand bricks when the factory was burnt and were a teatal loss worth. " 2.000

Less by rent of the cattle farm "Vega el Manchego at $500 per year,for two years " 1.000

From the breeding of horses at $90 yearly for two years. " 180

From the breeding of cows at $1237 yearly " 2.474

From the breeding of sheep at $45 yearly " 90

do. do.pigs at $194 yearly " 388

CANE FIELD:

34 caballerias of cane of approximatelt 33 1/3 acres each caballeria,or approximately 1133 acres which have been destroyed,at $2000 per caballeria 68.000

Loss of live stock:

136 cows with calves at $25 each " 3.400

160 do. not breeding at $20 " 3.200

56vbulls at $30 " 1.680

60 steers at $17 " 1.020

41 young bulls

$332.197

12.

		$332.197
41 young bulls at $12	"	492
38 heifers at $15	"	570
93 male yearlings at $10	"	930
85 female do. at $10	"	850
45 sheep at $3	"	135
97 pigs at $5	"	485
45 horses and mares at $34	"	1.530
250 foals at $0.50	"	125
Working live stock.		
15 saddles horses at $68	"	1.020
125 yoke of oxen at $85	"	10.625
8 mules at $85		680
Vehicles and Utensils.		
42 cane carts at $119 each	"	4.998
2 road carts at $136	"	272
6 megass carts at $85	"	510
3 mules carts at $51	"	153
4 carts for dry megass at $85	"	340
2 small mule carts for dirt at $51	"	102
202 ox yokes with their appurtenances at $2.50	"	505
40 yards of draft chain	"	120
4 rolls of manila rope 500 lbs each at $17 quintal (1000 pounds)	"	340
60 baskets at $1	"	60
1 platform scale for 1200 lbs.	"	51
1 scale for weighing hogshead	"	102
1 tin receptacle for coal oil	"	4.25
1 large caldron for kitchen	"	8.
1 bagasse steerer		120
1 steel bell	"	150
1 canon sugar kettle	"	136
	"	$357.610.25

		$357.610.25
1 grind stone 34 inches diametre	"	7.
3 pairs of blocks and falls	"	40.
1 do.clamps for lighting hhds.		25.
1 iron lever tightening hhd.	"	8.
25 Amer plows at $17		425
18 Cuban do. at $3	"	54
17 draft chains for carts at $2.10	"	38
1 wooden lever with iron hooks for upsetting hhd.	"	6
15 tubular hand lanterns at $1 each	"	15
18 large lanterns at $5.25	"	22.50
18 small juice skimmers at $1.25	"	22.50
8 juice dippers at $2.50	"	20
18 large juice skimmers at $2.25	"	45
For shipment of products.		
One sloop with sails and appurtenances.	"	700
Shop or store of the State.		
Counter shelves and fittings	"	130
10 empty casks	"	10
1 pipe of rum		34
1 counter scale	"	8.50
Groceries etc. lost when the shop was sacked by the insurgents.	"	250
Furniture and household effects.		
10 beds with appurtenances at $50	"	500.
6 dozens sheets at $48		288
6 do. pillow cases at $24		144
2 blankets at $48		96
10 bed covers at $4		40
30 rocking chairs at $6		180
		$360.918.75

		$360.918.75
6 dozen towels at $12	"	72
6 wardrobes at $85	"	510
4 toilet tables at $34		136
3 bureaus with mirrors at $17		51
10 night stand furnished at $8.50		85
1 crockery stand		30
1 side board		51
1 dining table		34
10 cloth sacks at $2		20
8 walnut rocking chairs at $12		96
24 small walnut chairs at $4		96
1 centre table		17
1 sofa		17
1 consols and mirror		51
1 three light chandelier		30
6 pictures		60
1 chinatable set		100
2 doz.silver plated knives kitchen knives		150
kitchen utensils		140
10 washstand with appurtenances		53
6 table cloths and 6 doz napkins		60
1 wide gauge R.R.track formboiling house to wharf		
3/4 of a kilometre long		5.500
2 sugar coolers of iron.		2.400
		$370.677.75

HABANA, November 11th, 1897.

(Signed) Jese D.Wasses.

Before me

(signed) Joseph A.Springer,

Vice Consul General.

A true copy.
Joseph A. Springer
Vice Consul General

No. 7 0 2.

ack'd & file. Dft. to Wash. 30, 1897

ASSISTANT SECRETARY
NOV 22 1897
DEPARTMENT OF STATE.

U. S. CONSULATE GENERAL.

INDEX BUREAU
REC'D.
DEC 1 '97
DEPT. OF STATE

HABANA, November 13th, 1897.

Mr. SPRINGER

TO THE

DEPARTMENT OF STATE

Case of FERNAND PONS, of Guantanamo; have asked the Governor General to issue orders to prevent the collection of extraordinary contributions under threats of destruction of his property in case of non-compliance.

---------o----------

One enclosure.

----------o----------

No.7 o 2.

U. S. CONSULATE GENERAL.

HABANA, November 13th,1897.

Honorable WILLIAM R.DAY.

Assistant Secretary of State.

Washington. D. C.

Sir:

In obedience to the Department's instructions No.478,of October 20th,relative to the case of Mr.FERNAND PONS,a citizen of the United States,at present residing in Paris,France,the owner of several sugar and coffee plantations in the district of Guantanamo,and established as a merchant and banker in that city, I have the honor to inform the Department that I have addressed a communication to the Governor General,in conformity with instruction No.428,of August last,making representations against the execution of the extraordinary contributions complained of by Mr.PONS upon his property,under the threat of its destruction in case of non-compliance; and have asked that the Governor General issue the orders necessary to prevent any such exaction.

I am, Sir,

Your obedient servant,

Joseph D. Springer

Vice Consul General.

Enclosure:

Mr.SPRINGER to the Governor General,November 13th,1897.

Enclosure No/1.

With Despatch No. 7 c 2.

HABANA, November 13th,1897.

Copy.

U.S.CONSULATE GENERAL.

HABANA, November 13th,1897.

To His Excellency the Governor Captain General of the Island of CUBA, etc, etc,

Excellency:

Under instructions received from my Government,I ha have respectfully to call the attention of Your Excellency to t the case of Mr.FERNAND PONS, a citizen of the United States, at present residing in Paris,France,but established in business in Guanatanamo as a banker and commission merchant,the owner of several sugar and coffee plantations,and stock and grazing farms,situated in the jurisdiction of said Guantanamo, in the province of Santiago de Cuba.

These properties are known by the names of the sugar plantation,"STA.MARIA", the plantation "SAN FERNANDO",situated at Yateras,devoted to the production of cofee and the breeding of horses and mules,the estate of "GRIGNON",in the same place, devoted to the production of coffee and cocoa, and his banking and commission house in Guantanamo.

Mr.PONS informs the Department of State,that the Spanish Government in this Island continues to exact from sugar planters the taxes which they were obliged to pay in time of peace,although in June,1896, a suspension of all work on such plantations and factories was ordered. The Government also forced the planters to pay for the construction of forts and fortifications wherever deemed necessary on their property, yet exacts from them the money necessary to pay the garrisons maintained in those forts. In addition the Government exacts

periodic contributions from such planters for the construction of military hospitals and other needs. These exactions are made under the threat implied, and sometimes expressed, of putting the their homes and factories to fire and sword if payment be not made.

Mr. PONS complains that up to the present time, by making sacrifices and prejudicing his interests, he has been able to do so, and desires the intervention of the United States in his case in prder to prevent any injury threatened to his property that might follow from the non-payment of such exactions.

The position taken by the United States Government in respect to the protection of the property of its citizens in Cuba, does not rest upon any supposed municipal or other local law of Spain, but upon that precept of international law which makes the sovereign responsible for damage done to the property of peaceable aliens within his territory by rebellious subjects whose injuries he may be in a position to prevent and fails to prevent. The Government of the United States cannot admit that any administrative orders, such as the decrees, edict and orders referred to, of suspension of work, abandonment of property, or building of forts, can limit or impair the immediate rights of an American citizen under international law, or the paramount rights of the Government towhich said citizen belongs.

It is therefore earnestly requested and expected that Y.E. will issue the orders necessary in the premises to prevent the carrying into effect of the collection of the extraordinary contributions and other charges complained of under threat of destruction in case of non-compliance, of the property of the American citizen Mr. FERNAND PONS.

I have the honor to be, Excellency, with the greatest respect, Your Excellency's most obedient servant,

(Signed) JOSEPH A. SPRINGER.

Vice Consul General.

Ans.

File

TELEGRAM RECEIVED.

3rd. ASST. SECRETARY.
NOV 16 1897

From Havana

Nov 15, 1897

Received Nov. 16 M.

Assistant Secretary
of State.
Washington.

Just have had most satisfactory interviews with Spanish authorities. "Competitor" prisoners have been turned over to me and will be sent New York next Thursday: this route decided to avoid demonstrations Key West and Tampa. I have to suggest New York authorities should be requested to see that none

2

TELEGRAM RECEIVED.

From _____

_____, 189 .

_____ Received _____ M.

_____

_____

are made there. It is important that
nothing be made known here until
prisoners depart; therefore request
nothing be given out by the Depart-
ment until next Thursday in the afternoon,
lest it might be telegraphed back.
Reconcentrado policy greatly modified.

Lee.

Deciphered Nov. 16, 10.15 A.M.

H(ng)

DEPT. OF STATE NOV 20,2.29 CHF. CLKS. OFFICE RECEIVED

703

ack + file

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ASSISTANT SECRETARY NOV 22 1897 DEPARTMENT OF STATE.

Ack Nov 26

U. S. CONSULATE GENERAL.

HABANA, November 15th, 1897.

15

Mr. LEE

TO THE

DEPARTMENT OF STATE

Reporting return from leave of absence and having resumed charge of office.

No. 705.

U. S. CONSULATE GENERAL.

HABANA, November 15th, 1897.

Honorable WILLIAM R. DAY,

Assistant Secretary of State.

Washington. D. C.

Sir:

I have the honor to inform the Department that I returned on yesterday, the 14th instant, from my trip to the United States under leave of absence, and have resumed charge of this office from to-day's date.

I have also to state that I sailed from Habana on the 4th of September, arrived in New York on the 9th September, and left New York to return on the 10th instant, and arrived the 14th instant at Habana.

I am, Sir,

Your obedient servant,

Fitzhugh Lee

Consul General.

Consulate-General U.S.
Havana,
November 17. 1897

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DEPT. OF STATE

Form No. 1516.

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RECEIVED at 707 PM. Washington D.C. Nov 17/97. 189

Havana 12

Assistant Secretary State,

Washington D.C.

Is Springer's application for leave granted?

Lee.

DEPT. OF STATE
NOV 18, 9.37 AM 1897
CHF. CLKS. OFFICE
RECEIVED

Granted by mail Nov. 14.

INDEX BUREAU
REC'D.
NOV 22 '97
DEPT. OF STATE

U.S. Consulate-General,
Havana,
November 17. 1897.

Confirmed
Nov. 23./97.

Assistant Secretary of State
Washington

Nov 17
10:20 am.

Am authorities here also promise the release of Sonellier in a few days. The only prisoner remaining then is the one reported in my dispatch #0563. Am satisfied he will be also released very soon.

See my letter mailed today in regard to reconcentration policy.

#

See

Consular Bureau -

DEPT. OF STATE
No. 704
NOV 20, 2 29 PM 1897
CHF. CLKS. OFFICE

2D ASSISTANT SECRETARY
Ans. Nov. 22 (2.)
NOV 22 1897

RECEIVED
INDEX BUREAU
REC'D.
NOV 26 '97
DEPT. OF STATE

U. S. CONSULATE GENERAL.

HABANA, November 17th, 1897.

Mr. LEE

NOV 22 1897

TO THE

3rd. ASST. SECRETARY
NOV 22 1897

DEPARTMENT OF STATE

Transmitting copy and translation of decree respecting "reconcentrados", and an article from "LA LUCHA".

---o---

Two enclosures.

2 COPIES MADE.
COPIED FOR CONGRESS.

No. 7 o 4.

U. S. CONSULATE GENERAL.

HABANA, November 17th 1897.

Honorable WILLIAM R.DAY,

Assistant Secretary of State.

Washington. D. C.

Sir:

I have the honor to transmit herewith several copies withaa translation of a decree of the Governor General respecting the "reconcentrados", and the conditions under which they may return to their homes ; and also a copy and translation of an article from "LA LUCHA" of the 15th instant,reporting an interview with me.

I am, Sir,

Your obedient servant,

Vice Consul General.

2 enclosures.

1. Decree of Governor General.

2 Article from "LA LUCHA".

Enclosure No.1.
With Despatch No. 708.
H A B A N A , November 17th,1897.

TRANSLATION.

GENERAL GOVERNMENT OF THE ISLAND OF CUBA.

PROCLAMATION.

Don RAMON BLANCO Y ERENAS,Marquis of Peña Plata,Governor General,Captain General and General in Chief of the Army of this Island.

Decided to afford the protection due by the Government to the country people concentrated in the towns,I have procured,by all means within the reach of the Authority,to better the condition to which the rural population of this Island has been reduced,more than by the direct effect of the war measures previously adopted,as a natural consequence of a violent and unjust insurrection,which,having imposed itself on this country ,made itself felt from the first moment as an attempt against the national sovereignity,and as a work of devastation of the country,but especially as the result of extreme passions let loose against the majority of the cuban population,honest,active and loyal,contented with the progress of its increasing culture,satisfied with the prosperity attained by its arts,its agriculture,industry and commerce,proud of its race and nationality,and which after having undergone without disturbance the transformation from the work of the slaves to that of freemen,offered to the world,as a special case of history,one of the most beautiful triumphs of liberty,united with the cause of order,was resolved to persevere in the noble purpose of obtaining through the evolution of ideas and by the peaceful struggles of law the consecration of its aspirations within the spanish sovereignity.

To that purpose I have directed all myeffforts which I have deemed opportune and pertinent,from ordering in a

decided and conclusive manner that the reconcentrados be furnished with a daily ration and that the sick in the hospitals be duly attended, to, ordering by a recent Decree (Bando) the reorganization of agricultural and industrial labors, as well as its normalization, to the end that without obstacles nor difficulties the poor people, specially, should be able to find means of subsistence, mitigation for their economic situation, and a possible remedy for their misfortunes.

The work of absolutely suspending the concentration and of remedying immediately the evils derived therefrom not being possible, unless it should be pretended that a crowd, composed largely of women and children be launched into the fields, exposed, therefore, to suffer even greater exils than that which they may experience by remaining in the towns and which would surely give rise to as serious censures as the concentration measures have caused, it becomes necessary to proceed in this matter with the foresight, good sense and tact imposed by events and which the Authority cannot ignore.

In view of these considerations and having resolved to make the causes of this evil disappear as far as possible, prudently, and for the benefit of all, until obtaining the complete re-establishment of the normality in the life of the rural population, I have decided to order as follows:

1st: All reconcentrados possessing farms, as owners, lessees or in partnership, and who possess elements and resources to help themselves, can again establish themselves in same and commence to work, for which they shall count with the protection and aid assured to them by the last instructions regarding the reorganization of agricultural and industrial labors. To this end, they shall obtain from the proper civil or military authority the piece of land where they are to establish themselves, a permit bearing the name of the individuals composing the family, the names of the persons accompanying them

ing them, number and kind of animals which they may keep, agricultural and other implements which they may need and the kind of labor they will undertake; and they shall at the same time prove how they will obtain the implements, clothes and effects which they may need, from the moment of their establishment.

2nd:- Those not comprised in subh case, but who attend to the industrial and agricultural labors, as artesans and laborers, can do so, provided they reside in the farm or plantation where they work, that they pass the night within the fortified place of said farm or plantation, and that they always carry with them their proper personal documents.

3rd: To this end the sugar estates, cane fields (colonias de caña), tobacco plantations, coffee plantations and other farms or plantations of importance properly defended shall be considered as centers of labor, and their owners are authorized to have in them the necessary employees and laborers, the present reconcentrados, as well as persons who having invoked pardon have complied with the formalities of surrender;- special care should be adopted that the proper hygienic measures are carried out which may guarantee the health of the laboring population.

4th:- In all cases to which the preceding paragraphs refer to, are the owners, lessees or partners of the farms or plantations obliged to build centers of defense of the zones of cultivation which they comprehend, and in the exterior circuit of which shall be established, in compliance with orders from the General Staff of the Army, the basis of operations of the columns in charge of fighting the rebels and of defending such centers whenever necessary. To this end the owners, lessees and prtners of farms or plantations are authorized to carry arms for their defense, and the employees and laborers

are authorized to carry revolver and machete for the defense of the zone which guarantees the elements of life to their persons and their families' subsistence;- after obtaining due permission from the local authorities in accordance with the owners of the farms or plantations.

5th:- The families and persons now concentrated who will not be able to enjoy the benefits which those comprised in the foregoing cases may obtain, either because they have no piece of land, or because they have no resources with which to establish themselves in same, or because they are unable to work, shall remain in the towns under the direct protection of the Boards for the protection of the reconcentrados which shall be constituted with Government funds and with the aid of public charity.

6th: These Boards shall be immediately organized in the capitals of the provinces by the civil Governors, by the Alcaldes (Mayors) in the municipal districts, and by the deputies from the City Governments (Ayuntamientos) in the towns, and they shall act under the direction and presidency of the said civil Authorities, who for the purpose of constituting said Boards shall associate themselves, as follows: 1st. To the military Commandants, who are already instructed by the General Staff, of their obligation to ration the reconcentrados; 2nd: To the parish Priests, whom the Ecclesiastic Authority shall inform them of the co-operation they shall tender to such humane purposes; 3rd: To the municipal physicians to whom pertains the medical aid of those who may need it; and 4th: to the the proprietors, merchants, traders and agriculturists whom the Presidents may designate.

7th: The protection afforded by these Boards shall extend under the same conditions, not only to the reconcentrados

but to persons coming from the rebel camp and who have invoked pardon, whilst they lack means of subsistence.

8th: These Boards shall report thier works every fifteen days to thier respective Presidents or to their superiors, who in turn shall report to the Secretary's office of the General Government of the Island.

9th: The civil and military Authorities in charge of the execution of these provisions shall see that they are strictly complied with, under their responsibility.

Habana, 13 November, 1897.

RAMON BLANCO.

GOBIERNO GENERAL DE LA ISLA DE CUBA

BANDO

DON RAMON BLANCO Y ERENAS,

Marqués de Peña Plata, Gobernador General, Capitán General y General en Jefe del Ejército de esta Isla.

Decidido á dispensar toda la protección debida por el Gobierno á los campesinos reconcentrados en las poblaciones, he procurado, por cuantos medios están al alcance de la Autoridad, mejorar la condición á que ha sido reducida la población rural de la Isla, más que por efecto directo de las medidas de guerra anteriormente adoptadas, por consecuencia natural de una insurrección violenta é injusta que, impuesta á este pueblo, se hizo sentir desde los primeros instantes por iguales medios, como atentado á la soberanía nacional, y como empresa de desvastación del país, pero especialmente como obra de pasiones extremas desatadas contra la mayoría de la población cubana, honrada, trabajadora y leal, bien hallada con los progresos de su creciente cultura, satisfecha de la prosperidad que alcanzaban sus artes, su agricultura, industria y comercio, orgullosa de su raza y de su nacionalidad y la cual, después de haber operado sin perturbaciones la transformación del trabajo esclavo en libre, ofreciendo al mundo, como caso especial en la historia, uno de los más hermosos triunfos de la libertad hermanada con la causa del orden, estaba resuelta á perseverar serenamente en el noble empeño de obtener por la evolución de las ideas y por las pacíficas luchas de la ley y del derecho la consagración de sus aspiraciones dentro de la soberanía española.

A aquel fin he encaminado todos los esfuerzos que he estimado oportunos y pertinentes, desde ordenar de modo expreso y terminante que se facilite á los reconcentrados ración diaria y que se atienda debidamente á los enfermos en los hospitales, hasta disponer por reciente Bando la reorganización de las faenas agrícolas é industriales y la normalización del trabajo, para que sin obstáculos ni dificultades de ningún género puedan buscar todos, especialmente las clases pobres, medios de librar su subsistencia, alivio á su situación económica y remedio posible á sus desgracias.

No siendo realizable la obra de suspender en absoluto la reconcentración y de remediar de una manera inmediata los males que de ella se han derivado, á no ser que se pretenda arrojar de las poblaciones á una muchedumbre compuesta en su mayor parte de mujeres y niños, para dejarla abandonada en medio de los campos, expuesta, por tanto, á sufrir males mayores que los que pueda ocasionarle su actual permanencia en los poblados y que darían seguramente sobrado motivo á que se formulasen contra esa medida censuras tan graves como las lanzadas contra la reconcentración, se hace indispensable proceder en esta materia con la previsión, buen sentido y tacto que la realidad de las cosas impone y que no puede la Autoridad desconocer.

Ante estas consideraciones y resuelto á hacer desaparecer las causas del mal en la medida de lo posible, prudente y mejor para todo, hasta llegar al completo restablecimiento de la normalidad de la vida en la población rural, he tenido á bien disponer lo siguiente:

1º Todos aquellos reconcentrados que posean fincas en propiedad, arrendamiento ó aparcería y que cuenten con elementos y recursos para valerse por sí mismo, pueden volver á establecerse en ellas y dar principio á sus faenas, para lo cual contarán con la protección y el amparo que les aseguran las últimas disposiciones sobre reorganización de los trabajos agrícolas é industriales. A este propósito, obtendrán de la Autoridad civil y militar á que corresponda el predio en que hayan de instalarse, una autorización en la que conste el nombre de los individuos que compongan la familia, el de las demás personas que las acompañen, número y clase de animales que lleven, aperos é instrumentos de labranza con que cuenten y labor á que han de dedicarse; debiendo ellos á su vez dejar constancia de la forma en que han de procurar los utensilios, ropas y efectos que hayan de necesitar en los primeros momentos de su instalación.

2º Aquéllos que no se encuentren en este caso, pero que como artesanos y jornaleros concurran á los trabajos industriales y agrícolas, podrán hacerlo á condición de que residan en la finca en que se hallen trabajando, pernocten en el fundo ó recinto fortificado que dicha finca tenga y porten siempre consigo su correspondiente documentación personal.

3º A este propósito, se considerarán como centros de trabajo los ingenios, las colonias de caña, las vegas, los cafetales y demás fincas de importancia que se encuentren convenientemente defendidas, quedando autorizados sus dueños para tener en ellas los operarios y trabajadores que necesiten, tanto de los reconcentrados actualmente como de los individuos que acojidos á indulto hayan llenado las formalidades, de la presentación, cuidando muy especialmente de adoptar las medidas higiénicas que garanticen la salud de la población jornalera.

4º En todos los casos á que se refieren los párrafos anteriores, es obligación de los dueños, arrendatarios ó aparceros de las fincas constituir centros de defensa de las zonas de cultivo que abarquen y en cuyo perímetro exterior se establecerán según órdenes dadas por el Estado Mayor General del Ejército, las bases de operaciones para las columnas encargadas de batir á los rebeldes y de defender aquellos centros en los casos en que fuere necesario. A este fin, se autoriza á los dueños, arrendatarios y aparceros el porte de armas para su defensa, y á los operarios y jornaleros el uso de revólver y de machete para la defensa de la zona que garantiza los elementos de vida á sus personas y el sustento á sus familias; previo permiso, en todo caso, de las autoridades locales de acuerdo con los dueños de las fincas.

5º Las familias é individuos reconcentrados actualmente á quienes no alcancen los beneficios que pueden obtener los que se hallen comprendidos en los casos anteriores, ya porque no posean predios, bien porque carezcan de recursos para establecerse en ellos ó porque estén imposibilitados para el trabajo, quedarán en las poblaciones bajo el amparo directo de las Juntas protectoras de reconcentrados que se constituirán con fondos del Estado y con los auxilios que quiera dispensarles la caridad pública.

6º Estas Juntas se organizarán inmediatamente en las capitales de provincia por los Gobernadores civiles, en los términos municipales por los Alcaldes y en los poblados por los delegados de los Ayuntamientos, y funcionarán bajo la dirección y presidencia de las mencionadas Autoridades civiles, las cuales se asociarán para constituirlas: 1º De los Comandantes militares, que están ya instruídos por el Estado Mayor General, de la obligación en que se encuentran de racionar á los reconcentrados; 2º De los Curas párrocos, á quienes la Autoridad eclesiástica informará de la cooperación que hayan de prestar á la consecución de tan humanitarios propósitos; 3º De los médicos municipales á quienes incumbe la asistencia facultativa de los que la necesiten; y 4º De los propietarios, comerciantes, industriales y agricultores á quienes los Presidentes tengan á bien designar para formarlas.

7º La protección que estas Juntas dispensen se extenderá en igual condición que á los reconcentrados, á los individuos procedentes del campo rebelde que se acojan á indulto, mientras no tengan medios de subsistencia.

8º De todos los trabajos que en cumplimiento de su misión realicen estas Juntas, darán cuenta quincenalmente sus Presidentes á sus superiores gerárquicos, quienes á su vez lo harán en igual forma á la Secretaría del Gobierno general de la Isla.

9º Las Autoridades civiles y militares, encargadas de la ejecución de estas disposiciones, cuidarán, bajo su más estricta responsabilidad, del exacto cumplimiento de cuanto en ellas se ordena.

Habana, 13 de Noviembre de 1897.

Ramón Blanco.

Gob. y Cap. Gral. por S. M.

Enclosure No 2.

With Despatch No.704.

HABANA,November 17th,1897.

Translation.

From LA LUCHA of Habana,15 November,1897.

MR.LEE SPEAKS:

With the arrival of the consul general of the United States of America in this Island,Mr.Fitzhugh Lee,and because of the rumors published by the press of his country regarding the attitude which the said consular representative would assume,as well as because of the report published by some Madrid paper,relative to a banquet given by the New York filibusters to Mr.Lee,everything connected with the latter has again obtained a certain importance.

Yesterday,by the American steamer "Seguranca" Mr.Lee arrived from the leave of absence granted to him by his government.

Desirous of greeting Mr.Lee and of learning the position he would adopt,in connection with the new policy which the supreme government intends to pursue in this island,we commissioned one of our reporters to interview the distinguished consul general.

At dinner hour,in the hotel "Inglaterra",where he stops,we approached his table and met him in company with the esteemed vice consul Mr.Hoseph A.Springer.

After exchanging courtesies we inquired,in the first place,for his family,: he told us that Mrs.and Miss Lee had remained in Virginia,one of his sons in the Military Academy of West Point,and the other one,Fitz,who accompanied him before,had a position in a rail road company.

Regarding the passage from New York to Habana he told us that he had left the former port last Wednesday and that on

Thursday the wind blew so hard that the "Seguranca",notwithstanding her excellent conditions, rolled so much that the General fell in his stateroom causing himself a slight wound on the forehead.

What instructions have you received from the President?

I have received no special instructions of any kind,- he answered - my functions in the future shall be the same as those of the past; namely: to protect the property and lives of the American citizens in this Island, and to encourage the development of the commercial interests of both countries. Nothing further.

With respect to the banquet which,according to a cablegram from New York,published by the LUCHA on Saturday,had been given to him in New York,by the cuban filibusters,Mr.Lee told us that he had not attended any banquet there,and consequently made no speech; that he only remained in New York two or three days,before leaving for this city,during which period he attended lunchs offered to him by personal friends,with no political character whatever.

He says such a telegram is untrue,and he does not know the reason which may have inspired the author of same.

We inquired from Mr.Lee,regarding the effect which the first measures of general Blanco have produced in the United States,and he told us that they had been received favorably, as would be all tending to make less sensible the horrors of the war. "In my country,he added,peace is desired. The last words I heard from President Mac Kinley,were:"My sincere wish is that peace be not disturbed".

Aside from official circles,we inquired,how does the American people think in regard to autonomy,about to be established in Cuba?

Outside of official circles,he answered,not much is known about autonomy and the popular classes rarely speak of it. Besides,until the ~~this~~ new regime does not commence to act it cannot be judged,and then they will see how it is received by the cubans.

We did not wish to occupy any longer the attention of the amiable Mr.Lee,and we took leave of him,thanking him for the deferences he has always shown to the LUCHA.

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Habana lunes 15 de noviembre de 1897.—S

Habla Mr. Lee.

Con la llegada á esta capital del cónsul general de los Estados Unidos de América en esta isla, Mr. Fitzhugh Lee, y con motivo de las versiones que ha publicado la prensa de su país sobre la actitud que asumiría dicho representante, así como por la noticia de que se ha hecho eco algún periódico de Madrid, relativa á un banquete con que le obsequiaron los filibusteros de Nueva York, ha adquirido, otra vez, cierta importancia cuanto se refiera á Mr. Lee.

Ayer, en el vapor americano «Seguranca,» regresó á esta capital, después de haber hecho uso de la licencia que le fué concedida por el gobierno de su nación.

Deseosos, pues, de saludar á Mr. Lee y de enterarnos de la actitud en que piensa colocarse dicho representante consular, con motivo de la nueva política que intenta seguir el gobierno supremo en esta isla, comisionamos á uno de nuestros redactores para que tuviera una entrevista con el distinguido cónsul general.

A la hora de la comida, en el *gran hotel Inglaterra*, donde se halla hospedado, llegamos hasta la mesa y le encontramos en compañía del ilustrado y muy apreciable vice-cónsul americano, Mr. Joseph A. Springer.

Cambiadas las frases de cortesía, le preguntamos, en primer lugar, por su familia; nos dijo que Mrs. y Miss Lee habían quedado en Virginia, uno de sus hijos en la Academia Militar de West Point, y el otro, *Fitz*, el que le acompañaba, está empleado en una empresa de ferrocarriles.

Sobre la travesía de Nueva York á la Habana, díjonos que había salido del primer puerto el miércoles, y que el jueves sopló viento tan fuerte, que el *Seguranca*, á pesar de sus excelentes condiciones, se balanceaba de tal suerte, que, en uno de los movimientos, se cayó en su camarote, causándose una lesión en la frente, cuya cicatriz presenta.

—¿Qué instrucciones ha recibido usted del Presidente?

—No he recibido instrucciones especiales de ninguna clase—nos respondió;—mis funciones, en lo adelante, serán idénticas á las que que he ejercido en el pasado: proteger las propiedades y las vidas de los ciudadanos americanos en esta isla, y propender al desarrollo de los intereses comerciales entre uno y otro país. Más allá de esas funciones, no daré un solo paso.

En lo que respecta al banquete que, según un cablegrama de Madrid, publicado por La Lucha el sábado, le había sido dado en Nueva York, como despedida de los filibusteros cubanos, nos manifestó Mr. Lee que él no había asistido en esa ciudad á ningún banquete, no pudiendo, por consiguiente, pronunciar ningún discurso; que sólo permaneció en Nueva York dos días, antes de embarcar para ésta, en los cuales sólo asistió á *lunchs* ofrecidos por antiguos amigos particulares, sin carácter político de ninguna especie.

Califica de inexacto el telegrama en que se contiene esa noticia, extrañándose del móvil que pueda haber inspirado á quien quiera que resulte el autor de una noticia tan falsa.

Inquirimos la opinión de Mr. Lee, sobre el efecto que han producido en los Estados Unidos, las primeras medidas dictadas por el general Blanco, y nos expresó que habían sido recibidas favorablemente, como lo serían todas las que propendan á hacer menos sensibles los horrores de la guerra. «En mi país, añadió, se desea la paz. Las últimas últimas palabras que oí de labios del presidente Mac Kinley, cuando me despedí de él, agregó, fueron, «mi anhelo mas sincero es que no se turbe la paz».

—Aparte de los círculos oficiales, le preguntamos, ¿cómo piensa el pueblo americano sobre la autonomía que se va á implantar en Cuba?

—Fuera de los círculos oficiales, nos contestó, no se sabe mucho lo que es la autonomía, y no se habla de ella más que muy raras veces, por las clases populares. Se aguarda, además, á que principie á funcionar dicho nuevo régimen para juzgar de su bondad y de cómo será recibido por los cubanos de todos matices políticos.

No quisimos ocupar por más tiempo la atención del amable Mr. Lee, á quien deseaban saludar otros amigos y nos despedimos de él, agradeciéndole las deferencias que siempre ha dispensado á La Lucha.

Personal

Hon Wm R. Day
Asst Sec: State

Consulate General of the United States.

Habana, Nov. Nov 17 1897

Copied

My dr Judge.

I take advantage of the first mail leaving after my arrival to write a few personal observations that may be of interest to the President & the Department.

A telegraphed that the "Competitor" prisoners had been placed in my charge & that I would send them tomorrow to New York & also that the remaining two Americans still under confinement would be released in a few days. This action upon the part of the Spanish Officials will I hope give the President the opportunity to say in his message that no Americans are now prisoners in Cuba. When I entered upon my duties here some sixteen months ago there were confined "incommunicado" & otherwise.

I arrived here Sunday last & had an extended interview with Gen Blanco the next day in which we discussed the & concentrado policy of his predecessor. The General is disposed to countermand in toto Weylers order

2 but thinks it is wisest to go slowly reach the object in view by degrees. Lest he be charged by his enemies with giving aid & comfort to the rebellion because if these people return to their homes & begin again to plant, the insurgents will receive the benefit of their labor.

I send you today a translation of Blanco's order on that subject.

Dr Congos to his 'Secretary General' told me "I read between the lines" from which I inferred that more would be done than the Resolutions convey.

I am satisfied that the new administration & Insular affairs intends to remove each cause of complaint on the part of the United States & to reduce to a minimum the issues between the two Countries.

Gen Pando - Blanco's chief of Staff told me he was personally in favor of opening the ports of Cuba to the commerce of the world upon equal terms & that all other imports & exports should pass along the channels of commerce most beneficial to the Island. I find in quite a change in the sentiments of most of the Spanish

or Peninsular citizens —
The last man and last dollar talk of
the late Carlos which was so loyally
& willingly & cheerfully given has in a
great degree subsided & the results
following Spain's loss of the Island
are being calmly considered by the
Spanish merchants & property owners.
Hear but talk of autonomy. It is
generally believed that the Insurgents
will accept nothing but independence
& it is known that all classes of the
Spanish citizens are violently opposed
to a dual or severing autonomy because
it would draw the control of the Island
into the hands of the Cubans. & rather
than that, they prefer annexation to
the United States or some form of an
American protectorate.
The present internal condition of affairs
& the seemingly hopeless effort to end
any more drops to Cuba has made
them very uneasy. & has therefore
prepared them a most favorable
Spaniard. tell me confidentially
last night that all Spaniards in Havana
between the ages of 18 & 40 were being secretly

armed & organized to protect their families & firesides in case Insurgent successes made their capture & Statues possible -

Capt Gen Blanco yesterday told the impression that he was a gentleman of culture - courteous - polite & kindhearted & that heart & head in brain - that his day has passed & that he is physically & mentally incapable of discharging the duties of his great office - Cenos to is going to be the active man of the administration - Spain for 12 years Consul of Philadelphia - speaks English perfectly & says he is very anxious to do all in his power to become the good opinion of our people - I ask a few passages of arms over the Ruiz matter but he tells me he was pleased in a very disagreeable position by his Government & was there in sympathy with Weyler's methods & that he will be very glad to do anything for me personally & officially - he will cooperate with me, he says in all things -

With the removal of the present elements of disturbance & the future conduct of the war will be prosecuted according to the rules of modern civilized methods - I express the hope that the course of our great Government can be so shaped in accordance with our international obligations & peacefully pursued - I am with great respect very sincerely yours Fitzhugh Lee

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U.S. Consulate-General
Havana, November 18. 1897.

Form No. 1516.

CABLE MESSAGE
THE WESTERN UNION TELEGRAPH COMPANY

All CABLE MESSAGES received for transmission must be written on the Message Blanks provided by this Company for that purpose, understood, subject to the conditions printed thereon, and on the back hereof, which conditions have been agreed to by the sender of the following message.

THOS. T. ECKERT, General Manager. NORVIN GREEN, President.

TWO AMERICAN CABLES FROM NEW YORK TO GREAT BRITAIN.
CONNECTS ALSO WITH FOUR ANGLO-AMERICAN AND ONE DIRECT U. S. ATLANTIC CABLES.
DIRECT CABLE COMMUNICATION WITH GERMANY AND FRANCE.
CABLE CONNECTION WITH CUBA, WEST INDIES, MEXICO AND CENTRAL AND SOUTH AMERICA.
MESSAGES SENT TO, AND RECEIVED FROM, ALL PARTS OF THE WORLD.

OFFICES IN AMERICA:
All Offices (21,000) of the Western Union Telegraph Company and its Connections.

OFFICES IN GREAT BRITAIN:
LONDON: No. 21 Royal Exchange, E. C. No. 109 Fenchurch Street, E. C.
LIVERPOOL: A5 Exchange Buildings. GLASGOW: No. 29 Gordon Street. BRISTOL: Backhall Chambers.

CO K PR GVT 39

RECEIVED at 603 P.M. Washington D.C. Nov. 18/97.

DEPT. OF STATE
NOV 24 1135 AM 1897
CHF. CLKS. OFFICE
RECEIVED

Confirmed Nov. 23/97.

189

Havana,

Assistant Secretary State,
Washington.

Saw Spanish Authorities yesterday, in reference Salomon Brothers Tobacco say nothing can be done here until reception Madrid instructions Suggest American Minister there be requested expedite matter as owners suffer daily loss by deterioration

Lee.

Conf. 705

No. 705.

File

Acknowledged. DEC 1 1897

DEPT. OF STATE
NOV 24 9.53 AM 1897
CHF. CLKS. OFFICE
RECEIVED

INDEX BUREAU REC'D. NOV 24 '97 DEPT. OF STATE

U. S. CONSULATE GENERAL.

HABANA, November 18th, 1897.

Mr. LEE

3rd. ASST. SECRETARY. NOV 26 1897

TO THE

DEPARTMENT OF STATE

Confirming telegrams received and transmitted.

-----o-----

No. 705.

U. S. CONSULATE GENERAL.

HABANA, November 18th, 1897.

Honorable WILLIAM R. DAY,

Assistant Secretary of State.

Washington. D. C.

Sir:

I append for confirmation copies of the following telegrams received and transmitted, viz:-

Habana, November 14th, 1897.

Assistant Secretary of State.

Washington. D. C.

Just have had most satisfactory interview with Spanish authorities. "Competitor" prisoners have been turned over to me, and will be sent to New York next Thursday. This route selected to avoid demonstrations Key West and Tampa. I have to suggest New York authorities should be requested to see that none are made there. It is important that nothing be made known here until prisoners depart, therefore request nothing be given out by the Department until next Thursday in the afternoon lest it might be telegraphed back. Reconcentrado policy greatly modified.

(Signed) LEE.

-----o-----o------

Washington November 16, 1897.

Lee, Consul General, Habana.

Gratifying telegram received respecting "Competitor" prisoners, re-concentration policy should be abandoned and all non-combatants who can do so in their present condition permitted to return to their plantations.

(Signed) DAY.

-----o----

Washington November 16th, 1897.

Lee, Consul General.

Habana.

We have promise of SOMELLAN'S release. Are there any other American prisoners in Cuba ?

(Signed) DAY.

-----o-----

Habana, November 17th, 1897.

Assistant Secretary of State.

Washington. D. C.

Authorities here also promise the release of SOMELLAN in a few days. The only prisoner remaining then is the one reported in my despatch 563. Am satisfied he will be also released very soon. See my letter mailed today in regard to re-concentration policy.

(Signed) LEE.

I am, Sir, Your obedient servant,

Fitzhugh Lee

Consul General.

COPIED

49 US Gov

DEPT. OF STATE
NOV 19 2 19 PM 189
CHF. CLKS. OFFICE
RECEIVED

TELEGRAM RECEIVED.

Confirmed NOV 23 1897.

From Havana

Nov 19, 1897.

Asst Secy State,

Received 2.14 P.M.

Washn D.C.,

U.S.A.

2D ASSISTANT SECRETARY,
Confirm by mail.
NOV 22 1897

American Prisoner Fernandez Diaz

released Am informed Somellan

and Chaqueito could be released

in next few days No Americans

will then be in confinement on

this Island Sent Competitor

prisoners Laborde Melton Gildea

Barnett Leavitt to New York

Yesterday

Lee

No. 706.

Acknowledged DEC 1, 1897

DEPT. OF STATE
NOV 26, 9 AM 1897
CHF. CLKS. OFFICE

U. S. CONSULATE GENERAL.

HABANA, November 20th, 1897. RECEIVED

INDEX BUREAU REC'D. NOV 26 '97 DEPT. OF STATE

Mr. LEE

TO THE

DEPARTMENT OF STATE

3rd. ASST. SECRETARY. NOV 26 1897

Confirming telegrams.

---o---

1 Enclosure.

706

No. 706.

U. S. CONSULATE GENERAL.

HABANA, November 20th,1897.

Hon.William R.Day,

Assistant Secretary of State,

Washington.

Sir:

I beg to confirm the following telegrams to you:

Nov.18th.

"Saw spanish authorities yesterday in reference "Salomon Brothers tobacco. Say nothing can be done here "until reception Madrid instructions. Suggest American "Minister there be requested expedite matter as owners "suffer daily loss by deterioration.

(sgd) Lee".

Nov.19th.

"American prisoners Fernandez Diaz released. I am "informed Someillan and Chaqueilo will be released in "next few days. No Americans will then be in confinement "in the Island. Sent Competitor prisoners Laborde,Gildea, "Melton,Leavitt,Barnett to New Yorkdato-day.

(sgd) Lee".

In this connection I beg to say that through an omission the name of EMILIO DOMINGUEZ y GENER,and American citizen under arrest at Matanzas,was not inserted in the above telegram. I have asked the Captain General that he be also released together with Someillan and Chaqueilo.

I enclose herewith a copy of a document signed by the five American Competitor prisoners pledging themselves not to return to Cuba until after the present war has terminated.

I am,Sir,your obedient servant,

Fitzhugh Lee

Consul General.

1 Enclosure: Copy referred to.

Enclosure No.1. With Despatch No.706. Habana, Nov.20, 1897.

HABANA/

We, the undersigned prisoners of war now confined at Cabaña fort, Island of Cuba, do hereby sacredly pledge ourselves, in case we are released from prison to-day not to return to Cuba in any position or under any circumstances until after the present war has terminated, and this pledge we voluntarily and freely give without compulsion from any source and in the presence of the Spanish authorities and the Consuls General of our respective countries.

(Signed) ALFRED LABONDE

" CHALES BARNETT } Englishmen

" W.GILDKA }

" ONA MELTON.

" WM.LEAVITT.

HABANA, Nov.18th, 1897.

Witnesses:

(Signed) FITZHUGH LEE,

U.S.Consul General.

(Signed) ALEX COLLAN,

H.B.M.Consul General.

I certify that the above is a true copy of the original now on file in my office

Fitzhugh Lee
U.S. Consul General.

2D ASSISTANT SECRETARY,
Inform Conduct Bros (Mr. Penick) answering letter of Nov. 18th.
NOV 26 1897
Ack by subject- ofpl

No. 707.

DEPT. OF STATE
NOV 26, 9 40 AM 1897
CHF. CLKS. OFFICE

INDEX BUREAU REC'D. NOV 26 '97 DEPT. OF STATE

U. S. CONSULATE GENERAL,

HABANA, November 20th, 1897. RECEIVED

Mr. LEE

2 encls. to Conduct Bros. No. 30. 1897

3rd ASST SECRETARY. NOV 26 1897

TO THE

DEPARTMENT OF STATE

Case of FERNANDO PONS, an American citizen, the owner of property at Guantanamo.

----------o----------

1 Enclosure.

No.707.

U. S. CONSULATE GENERAL.

HABANA, November 20th,1897.

Hon William R.Day,

Assistant Secretary of State,

Washington.

Sir:

With reference to the despatch from this office number 702,of the 13th instant,and to the Department's instruction number 478,of the 20th October,relative to the case of Mr. FERNANDO PONS,an American citizen,at present residing in Paris,France,,the owner of several sugar and coffee plantations in Guanatanamo,Cuba,I have the honor to enclose copy translation of a communication from the General Government of this Island to the effect that orders have been issued to suspend the exaction of taxes, complained of by Mr.Pons, upon his property.

I am,Sir,your obedient servant,

Fitzhugh Lee

Consul General.

1 Enclosure: Copy referred to.

Enclosure No.1.

With Despatch No.707.

H A B A N A , Nov.20th,1897.

TRANSLATION.

GENERAL GOVERNMENT OF THE ISLAND OF CUBA.

OFFICE OF THE SECRETARY.

His Excellency the Governor General has received your note of the 13th instant, relative to the complaint of the American citizen Mr.FERNANDO PONS, owner of several plantations at Guantanamo, against the demand of payment of ordinary and extraordinary taxes. The Regional Governor of Santiago de Cuba has been ordered, that if the above facts are true, to suspend the collection of said taxes, and to report to this General Government.

I have the honor to communicate to you the above in answer to your said communication.

God guard you many years. Habana, Nov.16,1897

(Signed) Jose Congosto

To the Consul General of the United States.

copy. See Consular Reports 207 ~~Vol. 191.~~

DEPT. OF STATE

NOV26,9 ~~8 AM 1897~~

CHF. CLKS. OFFICE

RECEIVED

INDEX BUREAU REC'D. NOV 26 '97 DEPT. OF STATE

U. S. CONSULATE GENERAL.

HABANA, Nov. 20th, 1897.

Mr. LEE

TO THE

DEPARTMENT OF STATE

Forwarding a copy of the Cuban Tariff.

DEPT. OF STATE
NOV 26, 9.38 AM 1897
CHF. Nos. XXX OFFICE
RECEIVED

U. S. CONSULATE GENERAL.

HABANA, Nov. 20th, 1897.

Hon. William R. Day,

Assistant Secretary of State,

Washington.

Sir:

I have the honor to enclose herewith a copy of the Cuban Tariff.

I am, Sir, your obedient servant,

Fitzhugh Lee

Consul General.

Cuba Bureau

DEPT. OF STATE
NOV 27, 12 18 PM 1897
CHF. CLKS. OFFICE
RECEIVED

No. 708.
708

Called down for $5000 Dec. 7, 1897

INDEX BUREAU
REC'D.
NOV 27 '97
DEPT. OF STATE

U. S. CONSULATE GENERAL.

HABANA, Nov. 23, 1897.

23

Mr. LEE

TO THE

DEPARTMENT OF STATE

U.S. ASST. SECRETARY
NOV 30 1897

Relative to the relief fund for destitue American citizens on this Island.

No. 708.

U. S. CONSULATE GENERAL.

HABANA, November 23rd, 1897.

Hon. William R. Day,

Assistant Secretary of State,

Washington.

Sir:

I have the honor to report that on my arrival here Vice Consul Springer turned over to me $1310.47, which he still had remaining to the credit of the relief fund, out of the $10,000 he had received from the Department, during my absence, for that fund. The demands upon the above balance from this city and other parts of the Island will exhaust it this week. I have the honor to say therefor that if the Department still desires to continue to afford relief to destitute American citizens in this Island it will be necessary to send at the earliest practicable moment $5000 more.

The whole amount already drawn from the Department on account of this fund to date is $25,000.

I am, Sir, your obedient ~~servant~~,

Consul General.

Original

Departamento Militar de Occidente.

Habitantes de Cuba:

Al iniciarse la campaña de Invierno por el Gral. Blanco, después de fracasado el sanguinario Weyler, quiero haceros presente nuestra inquebrantable resolucion de continuar combatiendo hasta conseguir la absoluta Independ.

Nuestros principios están bien definidos. Queremos fundar una República donde todos los habitantes disfruten iguales derechos y vivan en confraternidad. No odiamos al hombre español. Nuestra conducta con los heridos y prisioneros españoles lo demuestra. - Allí están los hechos en "La Larga", El Senado, "Ramon de las Yaguas", "Guáimaro" y "Victoria de las Tunas" en Oriente y Camaguey; los de "Lomitas" en las Villas y los de Viñales y Ojo de Agua en Pinar del Rio. - Nuestros heridos en cambio han sido mutilados, nuestros prisioneros fusilados y los habitantes pacíficos indefensos - aún mugeres y niños asesinados sin compasion; como si el Representante Español que el desgraciado Cánovas del Castillo mandó á Cuba para deshonra de la Nacion, se hubiera propuesto el exterminio de los habitantes de este País.

Españoles: solo consideraremos enemigos aquellos que nos combatan.

Cubanos: acudid á cumplir con vuestro deber y ello abreviará el término de la lucha y concluirán los horrores y ruinas que sufre nuestra Patria. -

¡Viva la República Cubana!

El Mayor General
Jefe del Departamento Militar de Occidente.

Noviembre 1 de 1.897. —

J. M. Rodriguez

No. 709.

aek

Acknowledged. DEC 1 1897

DEPT. OF STATE
NOV 27, 12 18 PM 1897
CHF. CLKS. OFFICE
RECEIVED

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U. S. CONSULATE GENERAL.

HABANA, Nov. 23, 1897.

23

Mr. LEE

TO THE

DEPARTMENT OF STATE

DEPARTMENT OF STATE. NOV 30 1897 ASSISTANT SECRETARY

Transmitting a paper from the insurgent chief in command of the Habana province.

1 COPIES MADE.
COPIED FOR CONGRESS.

No. 709.

U. S. CONSULATE GENERAL.

HABANA, Nov. 23, 1897.

Hon. William R. Day,

Assistant Secretary of State,

Washington.

Sir:

Some one handed me yesterday the enclosed paper, of which I accompany a translation, and which purports to be signed by the insurgent chief in command of the Habana province.

I am, Sir, your obedient servant,

Fitzhugh Lee

Consul General.

DEC 3 1897
U. S. CONSULATE GENERAL.

No.710.

Enclosure No.1.
with Despatch No.709.
H A B A N A , November 23,1897.

TRANSLATION.

WESTERN MILITARY DEPARTMENT.

To the Inhabitants of Cuba:

Upon the initiation of the winter campaign by General Blanco, after the failure of the bloodthirsty Weyler, I wish to remind you of our firm resolution to continue fighting until the attainment of absolute Independence.

Our principles are well defined. We wish to have a Republic where all its inhabitants shall enjoy equal rights and live in fraternity. We do not hate the Spaniard. Our conduct towards the Spanish wounded and prisoners prove it. Remember "La Larga", El Senado", "Ramon de las Yaguas", "Guaimaro" and "Victoria de las Tunas" in Oriente and Camaguey; and "Lomitas" in Las Villas, as well as Viñales and "Ojo de Agua" in Pinar del Rio. Our wounded have, nevertheless, been mutilated, our prisoners shot and the peaceful inhabitants, even women and children, murdered without pity; as if the Spanish Representative sent to Cuba by the unfortunate Canovas del Castillo, had proposed to exterminate the inhabitants of this country.

Spaniards: we only consider as enemies those who combat against us.

Cubans: do your duty and the end of the struggle will be abbreviated, and the horrors and ruins suffered by our Country will terminate.

Long live the Cuban Republic!

The Major General, Cheif of the Western Dept.

November 10,1897. J.M.RODRIGUEZ.

2D ASSISTANT SECRETARY,
Ack by subject & file.
DEC 3 1897

DEPT. OF STATE
NOV 27, 1.29 PM 1897
CHF. CLKS. OFFICE
RECEIVED

No. 710.

U. S. CONSULATE GENERAL.

INDEX BUREAU
RECD.
DEC 11 1897
DEPT OF STATE

HABANA, Nov. 23, 1897.

Mr. LEE

TO THE

DEPARTMENT OF STATE

Ack. Dec. 4, 1897

Condition of affairs in Cuba.

2 COPIES MADE.

COPIED FOR CONGRESS.

No. 710.

U. S. CONSULATE GENERAL.

HABANA, November 23,1897.

Hon.William R.Day,

Assistant Secretary of State,

Washington.

Sir:

I have the honor to briefly submit my views on the present condition of affairs in this Island:

1st:- The insurgents will not accept Autonomy.

2nd:-A large majority of the Spanish subjects,who have commercial and business interests and own property here will not accept Autonomy,but prefer annexation to the United States, rather than an independent republic or genuine autonomy,under the Spanish flag.

3rd:- The Spanish authorities are sincere in doing all in their power to encourage,protect and promote the grinding of sugar. The grinding season commences in December.

4th:- The insurgents leaders have given instructions to prevent grinding,wherever it can be done,because by diminishing the export of sugar the Spanish government revenues are decreased. It will be very difficult for the Spanish authorities to prevent cane burning,because one man at night can start a fire,which will burn hundreds of acres,just as a single individual could ignite a prairie by throwing a match into the dry grass.

5th:- I am confident that General Blanco and Pando,his chief of staff,as well as Dr.Congosto,the Secretary General, with all of whom I have had conversations, are perfectly conscientious in their desire to relieve the distress of those suffering from the effects of Weyler's reconcentration order, but,unfortunately,they have not the means to carry out such

benevolent purposes.

I have read letters stating that charitable persons in the United States will send clothing, food and some money to these unfortunate people and I have arranged with the "Ward" line of steamers to provide free transportation from New York. I hope to secure the permission of the Spanish authorities here for such things to be entered free of duty. I am told, however, that they must come consigned to the Bishop of Habana. The sufferings of the "reconcentrado" class have been terrible beyond description, but in Havana, less than in other places on the Island; yet Dr. Brunner, acting U.S. Sanitary Inspector here, informed me this morning that the death rate of the "reconcentrados" in this city was about 50 per cent, in other places of the Island, I am told, the death rate has been as high as 75 per cent, and when it is remembered that there have been several hundred thousands of these non-combatants or "pacificos", mainly women and children, who are concentrated under General Weyler's order, some idea can be formed of the mortality among them.

In this city matters are assuming better shape. Under charitable committees, large numbers of them have been gathered together in houses, and are now fed and cared for by private subscriptions. I visited them yesterday and found their condition comparatively good, and there will be a daily improvement among them, though the lives of all cannot be saved. I witnessed many terrible scenes and saw some die while I was present. I am told General Blanco will give $100.000 to the relief fund.

I am, Sir, your obedient servant,

Fitzhugh Lee

Consul General.

Copied for Peace

CONSULATE-GENERAL OF THE UNITED STATES,
HABANA, CUBA. Wed Nov 24. 97

Personal
Major Clitz.

Lend you two personal notes. Show you how famously Congress & I are getting along. Shall be a few days & can inform the Department there will no American in prison on the Island but the Spanish people & you know are responsible for delay — Congress is rude

Todo. The Americanos are being
taken care of here now by the Spiritu-
Subscriptions. I visited them at Cerro
yesterday & this morning took Señor
Canelhas out three times. Some 50 p.c
of them have recovered from the malaria
& from the alcohol alone.
Congosto told me last night that
Blanco was going to give the Relief Fund
$100 or 200 dollars. I do not know about

of 22nd Regt to an
escort came made
up a Spanish officer in
charge each of the
Island. This brought of
23rd of the Cubans
Women on the Completer
per steam dressed
the same treatment
given to the american
Completer prisoners.

She has not placed
them on board the Transport
steamer today - but told
me late last night, they
would be released & allowed
to stay here if they preferred to

Cath. There Spanish
matters all have a
string to them!—
She has been a consolation
sent) these Encouragements
sent. Congress advised that
all subscriptions in aid of
them be given to the Catholic
Bishops or the U. S.
& let them send them to
the Bishop of Habana
for distribution. This Bishop
is a very good fellow—
She and Wagner quarrelled dum
told, because W. wanted him
to have the Te Deum celebrated
in the churches in honor of the pacific
ion of the Island — He positively
refused to do it, because he said
the Islands had not been pacified
to any thing like

El Secretario del Gobierno General
de la Isla de Cuba

Nueva York 23 de

Confidential

My dear General -

Orders have been given about the rest of the crew of the Competitor - they will be on board the Olivette at 8 a.m. to-morrow morning. I have pressed the button & am all the rest.

Every day I am looking for your three other men - I hope that before next Saturday you will hear from them - Emilio Dominguez & Sanchez, Cuban are in good way -

Believe me sincerely
yours

W. Langwerth

El Secretario del Gobierno General
de la Isla de Cuba

Nov 22/97

My dear General —

I would not bother about what newspapers say - we know you — we know your feelings, therefore what they write must not concern you —

I will to day send the newspaper to the Governor of the Province - requesting him to let know the Editor in question not to publish such dirty rubish that does such harm —

I am looking after your people - Chaquicito - is giving much trouble, his papers are at the Supreme Court at Madrid - we have asked by cable to let us apply the indulto - we have not yet received an answer —

it is only a question of formality - Lonsdillon & Dunraven & Smith, & will be able to give you a favourable answer tomorrow.

Let me know if you have been notified from Cayenne to Grenada by your agent that Rafael Fernandez Diaz has been put in liberty - he should be by this time -

Mr. Childs has been here this afternoon - he has seen the Gutierrez - & Mr Smith his business will be settled favourably

Sincerely yours

M Quinzada

No. 1516.

CABLE MESSAGE.

THE WESTERN UNION TELEGRAPH COMPANY.

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BRISTOL: Backhall Chambers.

RECEIVED at Washington.D.C. Nov 24th 1897 189

28Z A WS 26 U S Govt Havana

Nov 24 Assistant Sec of State Wash'n DC

Someillan and Chaqueilo released no citizen of the United States is confined in prison on this Island

Lee
255PM

3rd. ASST. SECRETARY
NOV 24 1897

To Hunter Wallory
To Louis Somellan Jr.
Nov. 26. 1897.
Confirm

Confirmed Nov. 27, 1897.

Copy. 711

No. 711.

DEPT. OF STATE
DEC-1, 9.16 AM 1897
CHF. CLKS. OFFICE
RECEIVED

U. S. CONSULATE GENERAL.

HABANA, Nov.25,1897.

INDEX BUREAU
REC'D.
DEC 1 '97
DEPT. OF STATE

Mr. LEE

TO THE

DEPARTMENT OF STATE

Ackd. Dec. 7, 1897

Transmitting a statement made by Mr.Rafael Gomez,administrator of the plantation "Ayala,belonging to the American citizen Mr:Carlos M.Desvernine,now residing in New York.

1 Enclosure.

copied

No.711.

U. S. CONSULATE GENERAL.

HABANA, November 25th,1897.

Hon.William R.Day,

Assistant Secretary of State,

Washington.

Sir:

With reference to my despatch No.462,of May 4th last, transmitting a copy of a statement made before me by Mr.Rafael Gomez,administrator of the plantation "Ayala" belonging to Mrs Carlos M.Desvernine,a citizen of the United States now residing in New York city,I have the honor to enclose herewith a copy of an affidavit made before me by the said Mr.Rafael Gomez,in connection therewith,to be used in a claim against the Spanish Government that he already has or will shortly present to the Department.

I am,Sir,your obedient servant,

Fitzhugh Lee

Consul General.

1 Enclosure: Copy referred to.

Enclosure No.1.

With Despatch No.711.

H A B A N A , November 25th,1897.

U.S.CONSULATE GENERAL.

HABANA.

BE IT KNOWN that on this twenty third day of November, 1897,before me,the undersigned,Consul General of the United States of America at HABANA,Cuba,personally appeared Don RAFAEL GOMEZ,administrator or superintendent of the plantation "AYALA",situated in the district of Guines and nearly two leagues from said town,the property of Don CARLOS M.DESVERNINE a citizen of the United States and now residing in New York city,and being duly sworn did declare and state as follows:

That his name is RAFAEL GOMEZ; is a native of Guines, married,49 years of age,and for the past three years,administrator or superintendent of said plantation.

1st:- That at the commencement of the year 1896,two million five hundred and twenty thousand arrobas (of 25 pounds each) of sugar cane were planted in the said plantation.

2nd:- That in consequence of the war raging in this country one million two hundred and five thousand arrobas have been destroyed by fire.

3rd:- That the state of war of this country has prevented the use and manufacture of the remaining cane,namely: Sixteen million three hundred and fifteen thousand arrobas of sugar cane;because not having been able to pay the taxes for lack of production the plantation had to be abandoned; there existing a BANDO or edict of General Weyler, former Captain General of this Island,prohibiting the cultivation and habitation of the plantations which have not paid the taxes; and,further,that in consequence of the said compulsory abandonement,the buildings and factories of the batey of the plantation have been almost totally destroyed; the materials of whih

which the said buildings and factories were built having disappeared from said place.

(Signed) Rafael Gomez.

Subscribed and sworn to before me,
this 23rd day of November, 1897.

(Signed) Fitzhugh Lee,
Consul General.

1897
ALL LINEN

Consulate General of Spain.

This is a general measure in the line of the Gov. Gen's previous appeal to all charitably disposed persons to aid in his efforts to relieve the concentrados. It is such a measure as I have been informed the Gov. Gen. intends to take.

Confirmed NOV 30 1897

Havana, Nov. 26. 1897.

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Form No. 1516.

DEPT. OF STATE

CABLE MESSAGE.

THE WESTERN UNION TELEGRAPH COMPANY.

NOV 27 1897

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THOS. T. ECKERT, General Manager. NORVIN GREEN, President.

CHF. CLKS. OFFICE

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2CO K PR. GVT 67

RECEIVED at 10:41 P.M. Washington D.C. Nov 26/97. 189

Havana.

Nov 26, Assistant Secretary of State,
Washington.

Governor General informs me that United States Citizens who desire to send supplies to the poor here should send them to the Catholic Bishops nearest the point of collection and they in turn consign them to the Bishops of this Island at Habana and Santiago de Cuba for distribution that Madrid Government alone has power to remit the duties.

DEPT. OF STATE

Lee.

NOV 27, 9.07 AM 1897

CHF. CLKS. OFFICE

RECEIVED

COPIED.

Consl.

DEPT. OF STATE

No. 712.

DEC-1,12.33 PM 1897

DEPT. CLKS. OFFICE

712

2D ASSISTANT SECRETARY,
Ack by subject & file - aaa
DEC 3 1897

Ack. Dec. 11, 1897

U. S. CONSULATE GENERAL.

HABANA, November 27th, 1897.

2 COPIES MADE.

COPIED FOR CONGRESS.

Mr. LEE

TO THE

DEPARTMENT OF STATE

Relative to the "reconcentrados" in this city.

1 Enclosure.

COPIED FOR CONGRESS.

No. 712.

U. S. CONSULATE GENERAL.

HABANA, Nov. 27th, 1897.

Hon. William R. Day,

Assistant Secretary of State,

Washington.

Sir:

One of two gentlemen, who visited the "reconcentrados", after they were concentrated in los Fosos (the ditches) in this city, handed me to-day the enclosed paper. The names of these two gentlemen are not signed to it for obvious reasons.

I personally know the gentleman who brought the communication, and know that he stands high in this community as a man of integrity and character.

The numbers of "reconcentrados" here, as I had the honor to report already, have always been less than elsewhere. I am able to say now that they will be taken care of and fed by committees of charitable disposed persons.

The Ayuntamiento (City Government) of Habana has ordered an additional tax of 5 per cent to be levied upon real estate in this city. I am informed that this sum has already reached the amount of $80.000, and that it is to be devoted exclusively to the relief of the "reconcentrados".

The $100.000 reported in a former despatch, as being given by the Governor General, is in Spanish silver, and is to be applied to the "reconcentrados", scattered over the whole Island, and while it is a comparatively small sum for so large an area, if properly administered will be beneficial, in some degree, for those for whom it is intended.

I am, Sir, your obedient servant,

Fitzhugh Lee

Consul General.

Enclosure: Paper referred to.

Enclosure #1 - Dispatch #93 -
Jun 27/97.

Sir:

The public rumor of the horrible state in which the Reconcentrados of the Municipal Council of Habana were found in the Fosos having reached us, we resolved to pay a visit there, and we will relate to you what we saw with our own eyes:

460 women and children thrown on the ground, heaped pell mell as animals, some in a dying condition, others sick and others dead, without the slightest cleanliness, nor the least help, not even to give water to the thirsty, with neither religious or social help, each one dying wherever chance had laid them, And for this limited number of Reconcentrados the deaths ranged between 40 and 50 daily, giving relatively ten days of life for each person, with great joy to the Authorities who seconded fatidicaly the politics of General Weyler to exterminate the Cuban people; for these unhappy creatures received food only after having been for eight days in the Fosos, if during this time they could feed themselves with the bad food that that the dying refused.

On this first visit we were present at the death of an old man who died through thirst: when we arrived, he begged us for Gods sake to give him a drink; we looked for it, and gave it to him and fifteen minutes afterwards he breathed his last, not having had even a drink of water for three days before. Among the many deaths we witnessed, there was one scene impossible to forget: there is still alive the only living witness, a young girl of 18 years wh whom we found seemingly lifeless on the ground, on her right hand sid side was the body of a young mother cold and rigid, but with her y young child still alive clinging to her dead breast; on her left hand side was also the corpse of a dead woman holding her son in a dead embrace. A little further on, a poor dying woman having in her arms a daughter of 14 years crazy with pain who after 5 or 6 d days also died in spite of the cares she received.

In one corner a poor woman was agonizing surrounded by her children who contemplated her in silence without a lament or shed ding a tear, they themselves being real spectres of hunger emaciated in a horrible manner: this poor woman augments the catalogue

x dying

already large of the victims of the Reconcentration in the Fosos.

The relation of the pictures of misery and horror which we have witnessed would be never ending were we to narrate them all.

It is difficult and almost impossible to express by writing the general aspect of the inmates of the Fosos, because it is entirely beyond the line of what civilized humanity is accustomed to see; therefore no language can describe it.

The circumstances which the Municipal Authorities could reunite there are the following: complete accumulation of bodies dead and alive, so that it was impossible to take one step without walking over them; the greatest want of cleanliness, want of light, air and water: the food lacking in quality and quantity, what was necessary to sustain life, thus sooner putting an end to these already broken-down systems; complete absence of medical assistance, and what is more terrible than all, no consolation whatever religious or moral.

If any young girl came in anyway nice looking, she was infal ibly condemned to the most abominable of traffics.

At the sight of such horrible pictures, the two gentlemen who went there, resolved in spite of the ferocious Weyler, who was still Captain General of the Island, to omit nothing to remedy a dod deed so dishonorable to humanity , and so contrary to all christ-ianity. They did not fail to find persons animated with like senti-ments, who, putting aside all fear of the present situation, organ-ized a private Commitee with the exclusive end of aiding materially and morally the Reconcentrados. This neither has been nor is at present, an easy task: the great number of the poor and scarcity of means makes us encounter constant conflicts; this conflict is more terrible with the official elements and in a special manner with the Mayor of the City and the Civil Authorities who try by all means to annihilate this good work. The result of the collections are very insignifant if we bear in mind the thousands of people who suffer from the Recontrations; but it serves for some consolation to see that in Habana some 159 children and 84 women are well cared for, in the Asylum erected in Cadiz Street No 82,and 93 women and child-ren are equally well located in a large saloon erected for them in

the second story of the Fosos with good food and proper medical assistance, as also everything indispensable to civilized life.

According to the information which we have beenable to acquire since August until the present day, 1700 persons have entered the Fosos proceeding from Jaruco, Campo Florido, Guambo and Tapaste, in the province of Habana. Of these only 243 are living now and are to be found in Cadiz street;82 in the saloon already mentioned and 81 in the Quinta del Rey and the Hospital Mercedes;the whole amounting to about 397 and of these a great many will die on account of the great sufferings and hunger they have gone through.

From all this we deduct that the number of deaths among the r reconcentrados has amounted to 77 per cent.----------

Confirming telegrams,and transmitting copy translation of a communication from the Governor General respecting supplies to be sent to the poor here by charitable persons in the United States.

1 Enclosure.

Consul.

DEPT. OF STATE 713

No. 713.

DEC-1, 12.35 PM 1897

CHF. CLKS. OFFICE

U. S. CONSULATE GENERAL.

HABANA, November 27th, 1897.

Mr. LEE

TO THE

DEPARTMENT OF STATE

Rec'd Dec. 7. 1897

Confirming telegrams, and transmitting copy translation of a communication from the Governor General respecting supplies to be sent to the poor here by charitable persons in the United States.

1 Enclosure.

No. 713.

U. S. CONSULATE GENERAL.

HABANA, Nov.27th,1897.

Hon.William R.Day,

Assistant Secretary of State,

Washington.

Sir:

I beg to confirm the following telegrams to you,dated, respectively,the 24th and 26th instant:

(1)

"Someillan and Chaqueilo released. No citizen of the "United States is confined in prison on this Island.

(2)

"Governor General informs me that United States citizens "who desire to send supplies to the poor here should send "them to the Catholic Bishops nearest the point of collect "ion,and they in turn consign them to the Bishops of this "Island at Habana and Santiago de Cuba,for distribution. "That Madrid Government alone has power to remit theies. "duties.

In connection with the latter telegram I beg to enclose copy translation of the communication received from the Governor General on the subject.

I am,Sir,your obedient servant,

Fitzhugh Lee

Consul General.

1 Enclosure: Copy of communication referred to.

Enclosure No.1.

With Despatch No.713.

H A B A N A , November 27th,1897.

Translation.

GENERAL GOVERNMENT OF THE ISLAND OF CUBA.

I have received your courteous note of the 24th instant, informing me of the charitable purpose of several persons in the United States,who desire to send food,clothing and medicines for the poor on this Island. I heartily thank you for the generous offer which is made to me through you,and I beg you to express to said persons my sincere gratitude. But taking in consideration the improvement which the poor are now experiencing and the measures recently adopted to this end,I do not deem it necessary to avail myself of the offer so nobly made to me by you.

However,the said charitable persons may,if they so desire it,send through the Catholic Bishops of the United States to the Bishops of the island the articles which their charity may suggest,and agree with them respecting the distribution of same,as a matter of private charity and whereas the priests belongs to the Committees organized to such end on this Island.

It is not within my attributions to remit the duties on articles entering the ports of this Island,because such a franchise can only be granted by the Madrid Government.

I reiterate my thanks for the generous offer.

God guard you many years. Habana,26 November,1897.

(Signed) Ramon Blanco.

To the Consul General of the United States.

Consulado General
de los
Estados Unidos de America.
Habana.

Nov 27. 1897.

Personal.

Major Rudge.

As officially
briefly last mail Blanco gives in
Spanish Libres 100.000 (for distribution
on part of the Goverment here
this appropriation for the whole Island
if honestly administered would be
but a drop in the sea bucket—
But I am told - that the money will be
deposited with the Intendant General
of finance, where upon application it
must pass through the cumbersome
Spanish official machine & when at
last it does out - only the straw & not
the grain will be visible—

A very intimate friend of Bruzon has
just told me that he & his associates with
the autonomistic leaders - & talks of leaving
the Island - & says "Cuba must follow its
fate" — he can do more - Bruzon is
the present Governor of Matanzas, having taken

2 Palmerola Aplace. Stein a lawyer
at the head of his profession here & has been
a sincere autonomist, tough a Cuban
& seems to have the respect & esteem of everyone.
Autonomy will follow the Weyler
reforms, & then the deluge!!

I think it would be judicious
to keep at least two men of war at Key
West. No one can tell exactly
what is going to happen here.
Law - order & life may be endangered
at a moment's notice, which
may be averted by the timely arrival
of the flag ship of the United States.
Of course it is for us to enable the
Spanish authorities to control subdue.
Prayers against Blanco are 1st - the Spanish
citizens, who look upon the means that he
says, the autonomy he proposes will hurt
their interests in the hands of the Cubans.
2nd many of the Spanish soldiers who get no
pay prefer to let Cuba remain Spanish.
3rd The Government
Contractors & Municipal Officials are many
thousand dollars which includes the Electric
Light & Gas companies & all corporations with whom

the Government has contracted &c &c
& it looks somewhat as if there may
be a Revolution within a Revolution -
In that case foreigners will have to
look after their interests for protection
& the preservation of peace -
If the telegraphic office be raided
we will be cut off from the Department -
so perhaps it would be wise to determine
upon a letter day - which if telegraphed if that
can be done, would convey a meaning -
For instance the letter A. agreed to would
mean assistance. I can be absolutely
depended upon - though perhaps I should not any
ch - not to take hasty or premature action,
for I never get excited or bewildered -
& may be that some or all of the Spanish
authorities will unite in asking for aid
to preserve order - for I hear the Sec - Gen
Cuzco to say (to me) that he would not be
surprised if they - the dissatisfied ones -
should attempt to kill him -
If an agreed signal or cable to the numb
officers at Key West could be arranged
I think to the approval of the President if
time permitted, or otherwise - if the emergency
was sudden & great - it would seem best -
to prepare for what might happen - though I

hope the necessity may not arise.
In accordance with the old maxim "In time of peace prepare for war" we should look ahead.

I beg leave to suggest to you that Congress call for all the Consular Reports from Cuba & they be sent, that all those which & best in general terms upon Spanish matters in different portions of the Island by the different Consuls be read & regarded in the formation of the Day. but if possible be considered in Executive Session lest the usefulness & influence of the writers be decreased in their respective Sections.

I am very truly yrs
Fitzhugh Lee

Gen Secty Judge Day
Nov. 27

Havana

J. Woodford, Madrid, Dec 9.

No. 714.

714

ASSISTANT SECRETARY
DEC 17 1897
DEPARTMENT OF STATE

U. S. CONSULATE GENERAL.

DEPT. OF STATE
DEC-4, 11 27 AM 1897
CHF. CLKS. OFFICE
RECEIVED

Havana, November 1st, 1897.

Mr. LEE

Acknd. by Journ. Dec. 20/97.

TO THE

Referred to Secy. 11/98.

DEPARTMENT OF STATE

Transmitting a letter from Mr. Childs, of the firm of G. Lawton Childs & Co., American citizens.

1 Enclosure:

No. 714.

U. S. CONSULATE GENERAL.

HABANA, December 1st, 1897.

Honorable William R. Day,

Assistant Secretary of State,

Washington, D.C.

Sir:

I have the honor to enclose herein a communication from Mr. G. Lawton Childs, of the firm of Messrs. G. Lawton Childs & Co., bankers and agents of the Plant Line of steamers in this port, I attempted to have the matter he complains of rectified here, but was informed by the authorities that they had no power in the premises, because the fine imposed could only be remitted by the Government at Madrid. I, therefore, have the honor to refer the subject to the Department with the request that it be transmitted to the American Minister to said Court.

I am, Sir, your obedient servant,

Fitzhugh Lee

Consul General.

1 Enclosure: Communication referred to.

Mr. Childs to Mr. Lee, Nov 30th.

G. LAWTON CHILDS & Co.
P.O. Box 212
CABLE ADDRESS "LAWTON, HAVANA"
BRANCH OFFICE, 421 PRODUCE EXCHANGE, NEW YORK.

No. 22 Mercaderes St.
Havana, Cuba. Nov 30th 1897

To the Hon Fitz Hugh Lee
U. S. Consul General
at Havana.

Dear Sir,

Some month ago on the arrival at this port of the American S.S. "Mascotte" of which we are consignees, employees of the power of the Spanish Government made free privilege or monopoly, went on board and demanded the right to search the ship to see whether they had on board any matters which had been brought as contraband. The Captain of the vessel told the parties that if latter had a document to show that they had authority to search the ship, that they could proceed, but if they had no credentials they must come armed with an order from his consignees or the American Consul. The said employees did not have authority above mentioned, they were refused the privilege of searching the ship on that occasion. On a subsequent trip of "Mascotte" the said employees went on board, and we having notified the Captain, at the request of your goodself

G. LAWTON CHILDS & Co.
P.O. Box 212.
CABLE ADDRESS "LAWTON, HAVANA"
BRANCH OFFICE 421 PRODUCE EXCHANGE, NEW YORK.

No. 22 Mercaderes St.

Havana, Cuba, 18

that they be allowed to search for matches, the Captain made no objection, and said that knowing what parties are, had allowed them to come aboard and look for contraband matches at their pleasure, but as yet they have not found any.

Now we have been asked to pay a fine of $250.00 imposed upon the Captain of the ship, because he refused to allow the match officials to search the ship the last time. We have naturally refused to pay, and have done all possible in the way of explaining that the Captain was ignorant of the nature of the visit, but all to no avail, and we have been officially informed that we must pay the money at once, or at least deposit it, or some of our property will be embargoed and sold to cover amount of fine and expenses.

In this plight, we as American citizens, and representing the Captain of an American mail steamer appeal to you for protection, with the hope that through your influence with our Government at Washington you may be able to have the Captain relieved from payment of this unjust fine

G. LAWTON CHILDS & CO.
P.O. Box 212
CABLE ADDRESS "LAWTON, HAVANA"
BRANCH OFFICE 421 PRODUCE EXCHANGE NEW YORK

No. 22 Mercaderes St.

Havana, Cuba, 18

and us saved the annoyance of embargo which would be an injury to our Credit as American merchants.

We have the honor to remain,

Yours truly,

G. Lawton Childs & Co.

ARGENTINE BOOND

Confidential

Form No. 1516.

CABLE MESSAGE.

THE WESTERN UNION TELEGRAPH COMPANY.

DEPT. OF STATE

All CABLE MESSAGES received for transmission must be written on the Message Blanks provided by this Company for that purpose, under and subject to the conditions printed thereon, and on the back hereof, which conditions have been agreed to by the sender of the following message.

THOS. T. ECKERT, General Manager. NORVIN GREEN, President.

DEC-2,9.48 AM 1897

CHF. CLK'S OFFICE

TWO AMERICAN CABLES FROM NEW YORK TO GREAT BRITAIN.
CONNECTS ALSO WITH FOUR ANGLO-AMERICAN AND ONE DIRECT U. S. ATLANTIC CABLES.
DIRECT CABLE COMMUNICATION WITH GERMANY AND FRANCE.
CABLE CONNECTION WITH CUBA, WEST INDIES, MEXICO AND CENTRAL AND SOUTH AMERICA.
MESSAGES SENT TO, AND RECEIVED FROM, ALL PARTS OF THE WORLD.

OFFICES IN AMERICA:

All Offices (21,000) of the Western Union Telegraph Company and its Connections.

OFFICES IN GREAT BRITAIN:

LONDON:
No. 21 Royal Exchange, E. C.
No. 109 Fenchurch Street, E. C.

LIVERPOOL: A5 Exchange Buildings.
GLASGOW: No. 29 Gordon Street.
BRISTOL: Backhall Chambers.

623

ICO K PR GVT 34

RECEIVED at 6:28 P.M. Washington D.C. Nec. 1st/97. 189

Havana

Dec 1 Assistant Secretary, State,

Washington D.C.

confidential course of reports Washington D.C. formulating of arbitral Conspiracy under

21742 22301 matanzas 4211 30662 12792 56731 22207 54110 30660 20237

government there to spread against omissions of action be taken by United States in

31735 52694 53149 44695 11746 12664 49752 10788 16440 52195 18742 54426

favor Cuban independence.

29686 23787 34963

Lee.

623

TERMS AND CONDITIONS.

To guard against mistakes on the lines of this Company, the sender of every message should order it repeated; that is, telegraphed back from the terminus of said lines to the Originating Office. For such repeating, the sender will be charged in addition, one-half the usual tolls of this Company on that portion of its lines over which such message passes.

This Company will not assume any responsibility in respect to any Message beyond the terminus of its own lines; and it is agreed between the sender of the following Message and this Company, that said Company shall not be liable for mistakes or delays in transmission or delivery, or for non-delivery to the next connecting Telegraph Company, of any unrepeated message, beyond the amount of that portion of the charge which may or shall accrue to this Company out of the amount received from the sender for this, and the other companies, by whose lines such message may pass to reach its destination; and that this Company shall not be liable for mistakes in the transmission or delivery, or for non-delivery to the next connecting Telegraph Company, of any repeated message, beyond fifty times the extra sum received by this Company from the sender for repeating such message over its own lines; and that this Company shall not be liable in any case for delays arising from interruptions in the workings of its lines, nor for errors in cipher or obscure messages. And this Company is hereby made the agent of the sender, without liability, to forward any message over the lines of any other company to reach its destination.

This Company is not to be liable for damages in any case where the claim is not presented in writing within thirty days after the sending of the message.

Confidential. Consul of United States
at Matanzas reports formidable
and widespread conspiracy under
former civil governor there to
proceed against American. Should action be
taken by United States in favor
Cuban independence

Lee

C. C.

No. 715.

715

INDEX BUREAU
REC'D.
DEC 7 '97
DEPT. OF STATE

U. S. CONSULATE GENERAL.

HABANA, Dec.1,1897.

ASSISTANT SECRETARY
DEC 18 1897
DEPARTMENT OF STATE.

Mr. LEE

TO THE

DEPARTMENT OF STATE

Eransmitting a translation of a letter from Aranguren, a Cuban General of Habana province.

No.715.

Confidential

U. S. CONSULATE GENERAL.

HABANA, December 1st, 1897.

Hon. William R. Day,

Assistant Secretary of State,

Washington.

Sir:

I have the honor to transmit herewith a translation of a letter given to me to-day to read. Aranguren, the writer, is the dashing young Cuban leader who gives the Spanish authorities so much trouble in the province of Habana. It was this officer who captured with his men the train between Habana and Guanabacoa, which among other things, resulted in the death of Dr. Ruiz in the cell in the Guanabacoa jail.

One of my men informs me to-day of a severe fight in the province of Pinar del Rio between the insurgents commanded by Rodriguez and the Spanish troops under General Hernandez de Velasco, in which the latter were routed and driven in great confusion from the field, losing 2 majors, 4 or 5 captains, 8 or 9 lieutenants and quite a number of men killed.

Señor Canalejas, who left this city some days ago to go to Pinar del Rio to personally inspect this province, which Weyler had reported pacified, I am further informed, was with the Spanish troops and participated in their retreat.

I am, Sir, your obedient servant,

Fitzhugh Lee

Consul General.

1 Enclosure Translation refrred to.

Confidential

Enclosure No. 1.

With Despatch No. 715.

H A B A N A , December 1, 1897.

Fields of Cuba. Nov.27,1897.

Miss Mario:

My dear friend:

Your letter without date has been received. You ask my opinion regarding Autonomy. What shall I say? I have to repeat to you what my doings have shown. If I had taken the field to fight for Autonomy by this time I would not be here. Autonomy was good when the Cuban Deputies asked the Spanish Congress for it,because it was then a great thing for a country like ours,where positions and offices are only given to Spaniards (meaning peninsular Spaniards); and further that at that time property had not been destroyed nor blood shed, as has been shed in the present struggle. But now after having firmly determined to take arms for the independecne of my country,after most of our champions have disappeared,after over one hundred thousand defenceless and innocent Cubans have been assasinated by General Weyler; I would be a bad Cuban if I were to think that Autonomy could compensate the sacrifices made by the majority of this suffering people. I am aware that they may be some ignorants who would accept it as good; but for myself I can say that while Cuba is not free I will always be found in my place; I will never transact with the dirty and wretched Government which during so many years has exploited us as much as it wanted to,and wherever I go I hear the voice of so many heroes and so many martyrs crying for vengeance from their tombs.

You may be certain that although,as I say above,there may

some traitor,who seduced by some office,or by Blanco's policy may seek pardon; there are many worthy Cubans who will never be able to live under a flag which has been dragged by its own partisans through dirt and mud,and the latter will live in the fields of Cuba making war against Spain until the attainment of their ideal - the absolute Independence of Cuba.

In my previous letter I wrote to you about the unofrtunate Lamas; I am well and so are the other relatives,which I informed myufamily for their tranquility. Felillo wrote also.

I remain etc. etc.

(Signed) NESTOR de ARANGUREN.

See to Judge Day

2 Dec. 1/97

Consulate General of the United States.

Habana, Dec 1 — 1897

Personal

My dear Judge.

I have but little to write to what has been said in former letters — The important question just now is the menacing attitude of the Blanco Government & the Spanish Volunteers — There are probably some 20 000 of them in this City — & they are employed to do the sentinel — patrol — guard duty & to assist in the defence of the Capital City — if necessary — This organization is composed of the Clerks — porters & employees of the Spanish merchants & Spanish property holders — These Spaniards are violently opposed to autonomy — and their views pervade the ranks of their employees — The safety — peace & order of the City

destroy upon the bayonets of this body of volunteers.

There information that they are not loyal to the present Government that on yesterday they published bills were being circulated among them saying down with autonomy. Down with the United States &c. which were effectively suppressed and stopped by the police.

Congress told me Gen Blanco was informed on the subject. that he proposed to have them form & their Colonels swore loyalty was shown & make them kneel before him & pledge their support & if they refused - send them abroad as prisoners of Spain.

The formation of a law & order league is being considered by some. but the Elements are to mixed. I do not think it will amount to much.

I rather am inclined to think

the passage by Congress of Resolutions
declaring the Independence
of the Cuban Republic - would
mean War with Spain & that case -
that the arrival of Some American
men of War here about June time —
only to preserve order & protect American
life & property - should be taken
into Serious Consideration —

Respectfully Your Friend
Fitzhugh Lee

CONSULATE-GENERAL OF THE UNITED STATES,
HABANA, CUBA.

Dec 1- 1897-

My dear Judge -

One Gray scouts tells me of the fight in Pinar del Rio yesterday at the Bay below Luther, in which the Spanish were routed including Lenor Canalejas wounded the first at the time of Gen Bernal the Spanish Commander -

I send you in this a confidential note from

Brica Consul at
Matanzas, as it is in
line with what Consul
General earlier today.

Yours very truly

Fitzhugh Lee

Herbert R. Day

Lie to Judges Day

29 Dec. 1/97

716

Am. Bureau

DEPT. OF STATE

DEC-7, 9.30 AM 1897

CHF. CLKS. OFFICE

No. 716.

INDEX BUREAU REC'D. DEC 7 '97 DEPT. OF STATE

U. S. CONSULATE GENERAL.

HABANA, Dec.2,1897.

Mr. LEE

TO THE

DEPARTMENT OF STATE

Relative to the death of the American citizen Mr.George S.Newton.

No. 716.

U. S. CONSULATE GENERAL.

HABANA, December 2nd, 1897.

Hon. William R. Day,

Assistant Secretary of State,

Washington.

Sir:

In answer to the Department's instruction No. 491, of the 22nd November last, and with reference to my despatch No. 661, of the 30th September, regarding the death on September 29th of the American citizen Mr. George S. Newton, I now have the honor to transmit herewith a translation of a letter answering the inquiries the Department requested in the said Instruction.

Mrs. E. J. Harris, of Ogden, Utah, mother of Mr. George S. Newton, has been duly informed regarding her son's death, and so has Mr. Newton's father, at present residing in Caracas, Venezuela, I am told.

I am, Sir, your obedient servant,

Fitzhugh Lee

Consul General.

1 Enclosure:

Letter referred to.

Enclosure No.1.
With Despatch No.716.
H A B A N A , December 2nd,1897.

Translation.

Habana,30 November,1897.

To the Consul General ofthe United States,

Present.

Sir:

In answer to your inquiries respecting the manner in which the American citizen Mr.George S.Newton was wounded,I have to say that, as he told me on several occasions, the event happened as follows: He was sick, and had separated himself from the forces to which he belonged,accompanied by his servant,and was in a hut situated on the Baracoa beach,province of Habana, distant about 60 kilometres from this capital. He was there surprised by a Spanish column,early in the morning of the 7th August last,and received a machete wound on the head when captured, and made a prisoner of war.

From said place, he was removed to the demolished sugar estate "Garro" where he remained waiting for what the Spanish authorities proposed to do with him. The above is what Mr.George S.Newton has related to me.

In this connection I beg to add that having a strong friendship for Mr.Newton,I did all I could to obtain that he be delivered to me,which was done. On the 13th of August last he was delivered to me, at liberty, in the town of Guanajay, province of Pinar del Rio,about 50 kilometres from this capital

I took him to my house at San Lazaro street number 161, this city,where he continued ill,and died in consequence of paludic fevers 42 days after having been brought to my house here,namely,on the 29th September last.

I have stated the above in a letter to Mrs.E.J.Harris (Mr.Newton's mother,living at Ogden,Utah,U.S.A.) and she has acknowledge receipt of my said letter.

I am,Sir,your obedient servant,

(Signed) Carmelo Pierra.

No. 717

CONFIDENTIAL.

U. S. CONSULATE GENERAL.

HABANA, December 3rd, 1897.

DEPT. OF STATE
DEC-8,9.34 AM 1897
CHF. CLKS. OFFICE

INDEX BUREAU
REC'D.
DEC 8 1897
DEPT. OF STATE

Mr. LEE

Cons'd. Dec. 20./97

TO THE

DEPARTMENT OF STATE

2 COPIES MADE.

2-COPIED FOR CONGRESS.

Relative to a conspiracy in Matanzas.

CONFIDENTIAL.

No. 717.

U. S. CONSULATE GENERAL.

HABANA, December 3rd, 1897.

Hon. William R. Day,

Assistant Secretary of State,

Washington, D.C.

Sir:

Referring to my cypher telegram of the 1st instant, which I beg to confirm, reading as follows:

"Assistant Secretary of State etc.

"Consul Matanzas reports formidable and wide spread "conspiracy under former Civil Governor there to proceed "against Americans should action be taken by United States "in favor of Cuban Independence.

I have the honor to state that rumors have been more or less frequent regarding the riotous intentions of some of the dissatisfied elements towards citizens of the United States dwelling here and in other parts of the Island. Any riotous demonstrations here must come from the Spanish non-combatants or from the volunteers forces. I do not think there is any danger from the former, many of whom seem to be in favor of annexation, rather than for real autonomy or for an independent Cuban Republic. And I am inclined to think if General Blanco can manage the volunteers as yesterday he said he could, the trouble from that source is diminishing. The origin of the mobs in this city in the past has always been located in the ranks of the volunteers, who alone have organization and arms.

The Governor and Captain General is now investigating the Matanzas rumors and will, I am sure, deal promptly with any conspirators found there.

The Weyler police have all been changed and the officers of the volunteers too, when the Government here has reason to doubt their loyalty.

In consequence of all this, and the assurances of the Governmental authorities that American life and property will, if necessary, be protected by them at a moment's notice, I have declined to make an application for the presence of one or more war ships in this harbor, and have advised those of our people who have wives and children here not to send them away, at least for the present, because such proceedings would intensify the over excited public mind in the United States, in the first place, and in the second, would not, in my opinion, be justifiable at this time, from the standpoint of personal security.

I still think that two war ships at least should be at Key West, prepared to move here at short notice, and that more of them should be sent to Dry Tortugas, and a coal station be established there. Such proceedings would seem to be in line with that prudence and foresight necessary to afford safety to the Americans residing on the Island, and to their properties, both of which, I have every reason to know, are objects of the greatest concern to our Government.

I am, Sir, your obedient servant,

Fitzhugh Lee

Consul General.

DEPT. OF STATE
DEC 8 9.33 AM 1897
No. 718.
DIF. CLKS. OFFICE

718

ack'd

Copied for Presidential Campaign Book 153 1897. See Comp. to the President.

ASSISTANT SECRETARY
DEC 17 1897
DEPARTMENT OF STATE.

INDEX BUREAU
REC'D.
DEC 8 '97
DEPT. OF STATE

U. S. CONSULATE GENERAL,

HABANA, Dec. 3, 1897.

Mr. LEE

Acked. by form Dec. 20/97.

TO THE

DEPARTMENT OF STATE

Condition of affairs in Pinar del Rio province.

4 COPIES MADE.
COPIED FOR CONGRESS.

No. 718.

U. S. CONSULATE GENERAL.

HABANA, December 3rd,1897.

Hon.William R.Day,

Assistant Secretary of State,

Washington,D.C.

Sir:

I have the honor to state that a representative of a Madrid paper here says that: "Canalejas has said,upon his "return from the Vuelta Abajo,or Pinar del Rio province,after "the recent combat there between the Spanish generals Bernal "and Hernandez de Velasco,in command of 2300 men,and two pieces "of artillery,and Cuban forces under Pedro Diaz; that although "the Spanish troops have displayed once more their usual valor "in the said fight and the enemy must have suffered heavy "losses,yet the province of Pinar del Rio is not pacified,and "that there are numerous rebel forces still there. That out "of about 14,0000 Spanish regular troops in that province,only "about 3 or 4000 are able to operate,the balance being sick "at the hospitals,garrisoning towns,and otherwise distributed. "That he believes Autonomy premature,and inclines himself to "the adoption of energetic military action for the purpose of "finally pacifying said province. That he does not believe in "altering facts and news. That the truth,no matter how painful "and bitter it may be,must be known in the Peninsula,where "public opinion and the press has been deceived regarding the "annihilation of the war,and the so-called pacification of the "Western provinces,among which that of Pinar del Rio has been "included".

The LUCHA to-day publishes that Canalejas has said that the economic condition of the Pinar del Rio province is deplorable,there being 40.000 "reconcentrados" absolutely destitute,15.000 of which are children,most of whom are orphans

That they are unequally distributed throughout the different towns in the province, there being only 460 at the capital, city of Pinar del Rio, while in small towns like Consolacion and Candelaria there are over 4000. The Municipalities cannot incur any expense because the taxes cannot be collected because most of the tax payers, if not all, have been ruined by the war."

I am, Sir, your obedient servant,

Consul General.

Copy

DEPT. OF STATE
DEC-8 9 33 AM 1897
CHF. CLKS. OFFICE

719

Ack'd

Copied
Copy given both Secs.

ASSISTANT SECRETARY
DEC 17 1897
DEPARTMENT OF STATE.

INDEX BUREAU
RECD.
DEC 8 '97
DEPT. OF STATE

Mr. LEE

U. S. CONSULATE GENERAL.

HABANA, Dec.3,1897.

Cocked by Jarvis. Dec. 20. 97.

TO THE

DEPARTMENT OF STATE

Transmitting a letter from our Consul at Matanzas.

No. 719.

U. S. CONSULATE GENERAL.

HABANA, December 3rd, 1897.

Hon. William R. Day,

Assistant secretary of State,

Washington.

Sir:

I have the honor to transmit herewith ~~a~~ Confidential letters received from our Consul at Matanzas, which explains ~~itself.~~ themselves.

I am, Sir, your obedient servant,

Consul General.

[The enclosures are two letters from the Consul giving information of a certain conspiracy headed by prominent persons in the city and embracing Conservatives, Carlists, adherents of Weyler and others who are believed to have organized with the purpose of revenge upon cuban sympathizers and especially American citizens in Matanzas in the event of any action of Congress looking towards intervention by the United States.]

BUREAU OF ROLLS & LIBRARY
DEPARTMENT OF STATE
FEB 19 1896

Department of State,

Washington, , 189 .

To the Honorable Thomas B. Reed,

Speaker of the House of Representatives.

Sir:

I have the honor to transmit herewith, in pursuance of the provisions of the Act of Congress, approved February 3,

Nov 30th 1897

Friend Lee.

I have received
since my last report nearly
50 communications with
reference to the Cuban
question, & I am
pleased to say that the general
trend of the press
& the public generally
is decidedly
adverse to the Cubans.
I expect to get quite in
formation to-day from
various sources, & hope to
obtain sufficient evidence
to warrant me
in making a report
to the Secretary of State
Confidential

M.S. Emmet

Confidential

CONSULATE OF THE UNITED STATES
OF AMERICA.

Gen Fitzhugh Lee }
Habana. Cuba }

My Dear Sir.

I have carefully and secretly investigated the movement spoken of in a previous note and facts are about as stated.

There is a wide-spread organization embracing leading Conservatives - Weyler followers - Carlists etc. headed by Ex Gov Parrot — City Major Crespo — Col of Civil-guards & several publishers & Volunteer Officers.

Their object is to throw every obstacle possible in the way of Gen Blanco's reform & autonomy movement even to the extent of exciting riots - riots etc Protect based on. Any important action Congress may take in Cuban affairs

The question is - How far dare they go! Are they of sufficient strength to carry out their plans? Can they rely on Military to any great extent? Many of our Citizens are alarmed

over the situation — but I see nothing as yet to be alarmed over, and really think — there will be little or no trouble. I learned here that Spaniards are much given to blustering & threats — but seldom act. There is one bad phase to the situation here. Our civil Governor is a weak man in many respects and not fit to face a serious outbreak if one should occur.

With best wishes you will informed of future events in Matanzas.

Yours Respt

A. E. Barrett

Matanzas
Dec 3 d/ 97

Mr. Cheston

No. 720.



U. S. CONSULATE GENERAL.

HABANA, December 4th, 1897.

Mr. LEE

TO THE

DEPARTMENT OF STATE

Acted by Secretary Day Dec. 31/97.

Answering instruction 497 of the 30th November, relative to William E. Morgan.

No. 720.

U. S. CONSULATE GENERAL.

HABANA, December 4th, 1897.

Hon. William R. Day,

Assistant secretary of State,

Washington.

Sir:

I have the honor to acknowledge the receipt of the Department's instruction No. 497, of the 30th November last, enclosing a letter from Mrs. M.E. Stone, of Upper Alton, Illinois, who desires to get some information of her brother William E. Morgan, who she says joined the Cuban army about a year ago. I will make what inquiries I can concerning him, but it is a difficult matter to get information on such subjects within the lines of the insurgents.

I am, Sir, your obedient servant,

Fitzhugh Lee

Consul General.

No. 721.

U. S. CONSULATE GENERAL.

HABANA, December 4th, 1897.

Mr. LEE

TO THE

DEPARTMENT OF STATE

Dec 9, 1897.

Relative to the Cuban Relief Fund.

No. 721.

U. S. CONSULATE GENERAL.

HABANA, December 4th, 1897.

Hon. William R. Day,

Assistant secretary of State,

Washington.

Sir:

I have the honor to acknowledge receipt of the following telegram:

"Washingt, November 30th, 1897.
"Lee, Consul General, Habana.
"Draw for five thousand dollars account relief fund.
(Signed) Day."

and to advise that in conformity with above telegraphic instruction, I have drawn on the 30th November, at fifteen days sight, acceptance waived, upon the Secretary of State for the amount of five thousand dollars ($5000) in two separate drafts of two thousand five hundred dollars each ($2500), one in favor of Messrs. HIDALGO & CO., on which I received a premium of 10 1/4 per cent, and one in favor of Messrs. G. LAWTON CHILDS & CO., on which I received a premium of 10 1/2 per cent. Consequently there is now on deposit with the firm of Messrs. HIDALGO & CO., the further sum of two thousand seven hundred and fifty six and 25/100 dollars ($2756.25) in Spanish gold, and with firm of Messrs. GLAWTON CHILDS & CO., the sum of two thousand seven hundred and sixty two 50/100 dollars (2762.50) spanish gold, to the credit of the Cuban Relief Fund, and subject to the order of this office.

I am, Sir, your obedient servant,

Fitzhugh Lee

Consul General.

Consular Bureau

No. 722.

722

CONSULAR BUREAU RECD. DEC 11 1897 DEPT OF STATE

DEPT. OF STATE
DEC 11, 2.13 PM 1897
CHF. CLKS. OFFICE

U. S. CONSULATE GENERAL.

HABANA, Dec.7,1897.

Mr. LEE

SEC. ASST. SECRETARY
DEC 13 1897

TO THE

DEPARTMENT OF STATE

REPORT FILED IN BUREAU OF FOREIGN COMMERCE

Product of sugar made on this Island in 1896/97.

Cpy to Treasury Dec. 15, 1897
with Cy form Dec. 15
Mr Emory Speer
Dear Sir —

No. 722.

U. S. CONSULATE GENERAL.

BUREAU OF FOREIGN COMMERCE
GIVEN TO PRESS.
Dec 1 (30
DEPT. OF STATE.

Printed in Consular Reports
No. 209.

HABANA, December 7th, 1897.

6V

Hon. William R. Day,

Assistant Secretary of State,

Washington, D.C.

Sir:

I have the honor to report that the total product of sugar made on this Island in 1896/97 is 212,051 tons. The product of 1895/96 was 225,221 tons, this shows a deficiency this year as compared with last of 13,170 tons.

It will be remembered that in prosperous times the sugar crop of the Island averaged 1.000.000 tons.

I am, Sir, your obedient servant,

Fitzhugh Lee

Consul General.

Secretary of State.
DEC 13 1897

Confidential

No. 725.

Copy made for President Dec. 13, 1897.
Copy mailed to the Sec. Dec. 15th with Consular Reports.

INDEX BUREAU
RECD.
DEC 22 97
DEPT. OF STATE

U. S. CONSULATE GENERAL.

HABANA, Dec. 7th, 1897.

Mr. LEE

Encl. Dec. 21/97.

TO THE

DEPARTMENT OF STATE

Condition of affiars in Cuba.

1 Enclosure.

2 COPIES MADE.
COPIED FOR CONGRESS.

No. 723.

U. S. CONSULATE GENERAL.

Confidential.

HABANA, December 7th,1897.

Hon.William R.Day,

Assistant Secretary of State,

Washington.

Sir:

Referring to my cable of the 14th November,I am reluctantly commencing to believe that there is not that deep or active interest among many of those in authority here to relieve the desperate condition of the "reconcentrados". There seems to be no desire to accede to the request that articles of clothing and food collected for that purpose in the United States should be admitted into the ports of Cuba free of duty,and to my inquiry, the reply was made by the Governor General that he had no authority to grant such permission,but that it rested with the authorities at Madrid. A reply ,which I could not reconcile with the fact ,that he had allowed by a published proclamation cattle to enter free for two months. I hope it is not true that he was drawing a distinction between the suffering Spanish subjects and soldiers and the distressed Cuban non-combatants.

I see no effects of the Governmental distribution to the "reconcentrados. I am informed that only $12,500,in Spanish silver,had been dedicated to the Habana province,out of the $100,000 said to have been set aside for the purpose of relieving them on the Island,and that reports from all parts of the province show that 50 per cent have already died, and that many of the left will die. Most of these are women and children. I do not believe the Government here is really able to relieve the distress and sufferings of these people, and yet, strange to say,there seems to be great objections on the part of many to have this relief come from outside parties. I

am informed

am informed an order has been issued suspending the distribution of rations to "reconcentrados", which increases the belief of many that the proclamation regarding governmental assistance to "reconcentrados" was only to secure a good effect abroad. The condition of these people is simply terrible.

I enclose herewith an official copy of the comparative mortality in Habana for the 6 months ending November 30th. It will be perceived that there has been a great increase in the death rate and without adequate means in the future to prevent it the mortality will increase. I hear much suffering in the Spanish hospitals for want of food, and among the Spanish soldiers, and, I am told, that $70.000.000 will be required to pay the soldeirs, government contractors etc. I hear also that the Spanish merchants in some parts of the Island are placing their establishments in the name of foreigners in order to avoid their provisions being purchased on credit by the Military Administration, and that the Spanish army is suffering much from sickness and famine, and that a great deal of money is needed at once to relieve their condition. In some parts of the Island there is scarcely any food for soldiers, or citizens, and that even cats are used for food purposes, selling at 30 cents a piece.

It is a fair inference, therefore, to draw from the existing conditions, that it is not possible for the Governor General of this Island to relieve the present situation with the means at his disposal. It certainly cannot be done by proclamations.

I am, Sir, your obedient servant,

Fitzhugh Lee

Consul General.

1 Enclosure:

Copy of statement referred to.

4th Sheet

Enclosure No.1 with despatch No.723. December 7,1897.

In Statuno

Comparative Mortality for the six months ending November 30th,1897, with deaths from intestinal diseases.

	Deaths from intestinal diseases.	Deaths from all causes.	Annual ratio per 1000
June.	143	1041	62.46
July	171	1193	71.52
August	291	1439	86.34
September	411	1778	106.68
October	729	2272	136.32
November	769	2317	139.00

ENCLOSURE

Wash. Dec. 9. 1897.

Personal

My dear Judge-

Our mutual friend Clark
left here in time to
catch the train for a very
nice complimentary letter-
I appreciate it highly- for
it came like a ray
of comfort- amid the
storm.

I marked my dispatch
of to-day No. 723- Confidential
because details & such
dispatches sometimes
have been published

If called for — because
pictures not to be produced
between the Audrey's here
myself. Dear Barker's
despatch from Lagun
also forwarded today
confirms what I have
written.

Gen Blanco's mental condition
from all accounts grows
worse — the certainty of his
absolutely taking the
field — Do you see
we are all at sea.

Faithfully yrs

Richmond Hill

Lu to Judge Friday
Dec. 9:

Personal letters

See to day

Ans. Bureau

Habana,
Dec. 10. 1897

INDEX BUREAU REC'D. DEC 11 1897 U.S. STATE

No. 1516.

CABLE MESSAGE.

THE WESTERN UNION TELEGRAPH COMPANY.

ALL CABLE MESSAGES received for transmission must be written on the Message Blanks provided by this Company for that purpose, under and subject to the conditions printed thereon, and on the back hereof, which conditions have been agreed to by the sender of the following message.

THOS. T. ECKERT, General Manager. NORVIN GREEN, President.

TWO AMERICAN CABLES FROM NEW YORK TO GREAT BRITAIN.
CONNECTS ALSO WITH FOUR ANGLO-AMERICAN AND ONE DIRECT U. S. ATLANTIC CABLES.
DIRECT CABLE COMMUNICATION WITH GERMANY AND FRANCE.
CABLE CONNECTION WITH CUBA, WEST INDIES, MEXICO AND CENTRAL AND SOUTH AMERICA.
MESSAGES SENT TO, AND RECEIVED FROM, ALL PARTS OF THE WORLD.

OFFICES IN AMERICA:

All Offices (21,000) of the Western Union Telegraph Company and its Connections.

OFFICES IN GREAT BRITAIN:

LONDON:
No. 21 Royal Exchange, E. C.
No. 109 Fenchurch Street, E. C.

LIVERPOOL: 45 Exchange Buildings.
GLASGOW: No. 29 Gordon Street.
BRISTOL: Backhall Chambers.

Communicated to Peter Zucker Dec 10/97

RECEIVED at Washington.D.C. Dec 10th 1897 189

confirmed Dec. 20/97.

45Z P WS U S Govt. 22 Havana

Dec 10 Assistant Secretary State Wash'n D.

[T]en hundred and forty five bales tobacco Salomon Brothers

[C]ased see department instruction 454

Lee

416PM

3rd. ASST. SECRETARY. DEC 10 1897

Mr Newton
Index
Mr Chilton
Confirmed

Not to be made public.
ask

ASSISTANT SECRETARY
DEC 17 1897
DEPARTMENT OF STATE.

CONSULAR BUREAU
RECD.
DEC 11 1897
DEPT. OF STATE

Habana,
Dec. 10. 1897

2D ASSISTANT SECRETARY,
Confirm.
did as Dec 10/97 ask
DEC 11 1897

Form No. 1516.

CABLE MESSAGE.
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GLASGOW: No. 29 Gordon Street.
BRISTOL: Backhall Chambers.

3rd. ASST. SECRETARY
DEC 10 1897 89

RECEIVED at Washington.D.C. Dec 10th 1897

44Z P WS U S Govt 31 Havana

Dec 10 Assistant Secretary of State Wash'n DC

19260 53196 20237 31735 41598 32791 33162 32211 36525 42000 51103 26603
30322 53149 21436 31956 32302 28101 53149 29809 33437 50306

The Captain General of Cuba told civil Governor of Havana he had issued order to stops distribution food Lee 410PM to Concentrados on the ground had not enough to feed his soldiers.

Lee

Copy

Copied

orig. 724

No. 724.

file

U. S. CONSULATE GENERAL.

RECEIVED
DEC 14 1897
DEPT OF STATE

HABANA, Dec.11,1897.

Mr. LEE

TO THE

DEPARTMENT OF STATE

Confirming telegrams.

No. 724.

U. S. CONSULATE GENERAL.

HABANA, December 11th, 1897.

Hon. William R. Day,

Assistant Secretary of State,

Washington.

Sir:

I have the honor to confirm the following telegrams transmitted to you yesterday:

(1) Dec. 10

"Sixteen hundred and forty five bales tobacco "Salomon Brothers released. See Department instruction "454.

(Signed) Lee".

(2) Dec. 10.

"Captain General told Civil Governor of Habana he "had issued order to stop distribution food to concentra- "ted on ground had not enough to feed his soldiers.

(Signed) Lee".

I am, Sir, your obedient servant,

Consul General.

ASSISTANT SECRETARY
DEC 17 1897
DEPARTMENT OF STATE

DEPT. OF STATE
DEC 16, 9.34 AM 1897
CHF. CLKS. OFFICE
RECEIVED

No. 725.

INDEX BUREAU
REC'D.
DEC 16 '97
DEPT. OF STATE

U. S. CONSULATE GENERAL,

HABANA, Dec.11,1897.

Mr. LEE

ack'd for

TO THE

Ackd. by Form Dec 20 1897

DEPARTMENT OF STATE

Release and departure for the United States of one George Edward Vanderbildt, an American citizen, confined in the Havana jail for fighting a policeman on the street.

No. 724.

U. S. CONSULATE GENERAL.

HABANA, December 11th, 1897.

Hon. William R. Day,

Assistant Secretary of State,

Washington.

Sir:

I have the honor to confirm the following telegrams transmitted to you yesterday:

(1) Dec. 10

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(Signed) Lee".

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"Captain General told Civil Governor of Habana he "had issued order to stop distribution food to concentra- "ted on ground had not enough to feed his soldiers.

(Signed) Lee".

I am, Sir, your obedient servant,

Fitzhugh Lee

Consul General.

No. 725.

ASSISTANT SECRETARY
DEC 17 1897
DEPARTMENT OF STATE

DEPT. OF STATE
DEC 16, 9.34 AM 1897
CHF. CLKS. OFFICE
RECEIVED

INDEX BUREAU
REC'D.
DEC 16 '97
DEPT. OF STATE

U. S. CONSULATE GENERAL,

HABANA, Dec.11,1897.

Mr. LEE

ack'd

TO THE

Ackd. by form Dec 20. 97.

DEPARTMENT OF STATE

Release and departure for the United States of one George Edward Vanderbildt, an American citizen, confined in the Havana jail for fighting a policeman on the street.

No. 725.

U. S. CONSULATE GENERAL.

HABANA, Dec.11,1897.

Hon.William R.Day,

Assistant secretary of State,

Washington.

Sir:

I have the honor to report that recently I discovered that there was an American citizen named George Edward Vanderbildt, of New York,in one of the jails of this city. I immediately visited the prisoner and ascertained that he was an American citizen,but had lived on this Island for about 15 years,that he had been one year and a half in jail; that he had never been tried,and that his offence was fighting a policeman on the street. He was not registered at this Consulate. I stated the circumstances to the Government here and secured his release. To-day he has left the Island for the United States on condition not to return here during the present war.

I am,Sir,your obedient servant,

Fitzhugh Lee

Consul General.

No. 726. CONFIDENTIAL.

ASSISTANT SECRETARY
COPIED
DEC 20 1897
DEPARTMENT OF STATE.

U. S. CONSULATE GENERAL.

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REC'D.
DEC 18 '97
DEPT. OF STATE

HABANA, Dec.13th,1897.

Mr. LEE

TO THE

DEPARTMENT OF STATE

acknd by form Dec. 27. 1897

Cuban Affairs.

2 COPIES MADE.
COPIED FOR CONGRESS.

No. 726. CONFIDENTIAL.

U. S. CONSULATE GENERAL.

HABANA, December 13,1897.

Confidential

Hon.William R.Day,

Assistant Secretary of State,

Washington,D.C.

Sir:

I have the honor to make the following report:

1st: In my opinion there is no possibility of Spain terminating the war here by arms.

2nd: Or by autonomy - real or pretended.

3rd: Or by purchasing the insurrection leaders, as recently attempted.

4th: Or, as far as I can see, in any other way.

5th: The contest for and against autonomy is most unequal. For it, there are 5 or 6 of the head officers at the palace, and 20 or 30 other persons here in the city, who, it is said, desire to hold the offices to be created under automatic forms, at least such is my information -

Against it, First: are the insurgents, with or without arms, and the Cuban non-combattants. Second: the great mass of the Spaniards, bearing or non bearing arms - the latter desiring, if there must be a change, annexation to the United States.

Indeed, there is the greatest apathy concerning Autonomy in any form. No one asks what it will be, or when, or how it will come.

I do not see how it could be even put into operation by force, because as long as the insurgents decline to accept it, so long, the Spanish authorities say, the war must continue.

I am compelled to say, therefore, that, in my opinion,

Autonomy does not now, if it ever did, exist as a factor in the solution of the Cuban problem.

I am obliged to say, too, that in spite of published manifestos, the Government of this Island has not been able to relieve from starvation the Cuban population driven from their homes by the Weyler edict, and no longer attempts to do so.

I am, Sir, your obedient servant,

Fitzhugh Lee

Consul General.

COPIED.

ASSISTANT SECRETARY
DEPT. OF STATE
DEC 20 1897
DEPARTMENT OF STATE
DEC 18 1.52 PM
CHF. CLKS. OFFICE
RECEIVED

No. 727.

INDEX BUREAU
REC'D.
DEC 18 '97
DEPT. OF STATE

U. S. CONSULATE GENERAL.

HABANA, December 14, 1897.

Mr. LEE

TO THE

DEPARTMENT OF STATE

ack'd by form Dec. 27, 1897

Relative to the condition of the "reconcentrados".

✓ COPIES MADE.
COPIED FOR CONGRESS.

No. 727.

U. S. CONSULATE GENERAL.

HABANA, December 14,1897.

Hon .William R.Day,

Assistant Secretary of State,

Washington.

Sir:

I have the honor to report, that I have received information, that in the province of Habana, reports show that there have been 101.000 "reconcentrados", and that out of that 52.000 have died. Of the said 101.000, 32.000 were children. This excludes the city of Habana and 7 other towns, from which reports have not yet been made up. It is thought that the total number of "reconcentrados" in Habana province will amount to 150.000, nearly all women and children, and that the death rate among their whole number from starvation alone will be over 50 per cent.

For the above number of "reconcentrados" $12.500, Spanish silver, was set aside out of the $100.000 appropiated for the purpose of relieving all the "reconcentrados" on the Island. 75.000 of the 150.000 maybe still living, so if every dollar appropiated of the $12.500 reaches them, the distribution will average about 17 cents to a person, which, of course, will be rapidly exhausted, and as I can hear of no farther succor being afforded, it is easy to perceive what little practical relief has taken place in the condition of these poor people.

I am, Sir, your obedient servant,

Fitzhugh Lee

Consul General.

Personal

CONSULATE-GENERAL OF THE UNITED STATES,
HABANA, CUBA. Dec: 15- 1897

My dear Judge-

Referring to confidential dispatch about our vessels which I have duly received. Quite to say the necessity for their presence in this harbor will depend upon the temper of the Volunteers. a local defense organization composed of the porters - clerks & employees generally of the principal Spanish Citizens & of the Spanish business men. There is not an autonomist in their ranks. & with the firemen who are armed to, number some 25 000 men.

There are the men who have always demonstrated here & in spite of Blanco's & Congosto's assertions. I

am not certain under excitement, whether they can be kept under control of the Palace authorities. Their employers in many cases are their tyrants and are bitterly opposed to autonomy - for Spain's trade with the Colonies passes through their hands & they do not want to lose it. In 1869 - this organization marched against Dulce who represented a mild form of Government - (during the Republic in Spain I think) - & said in a speech he was in favor of the liberty of the press & some other things that they did not like - On this they went to the Palace, they shouted "muera to Dulce" (death to Dulce!) &c &c

they kept Dulce a prisoner
in his own palace - made him
break his sword & sent him off on
a Spanish steamer next day to
Spain. There are the fellows
to marshal the students &
&c &c - I send you a brief with this. of this harangues.
this possible if Blanco &
hereafter should become uneasy
& uncertain of their control over
these men, they would be willing
to tacitly acquiesce in the coming
American man of war to this
harbor. on account of their own
safety & the safety of life & property
generally - I hear these volunteers
cursing the authorities on every side -
especially Congosto - the "Yankee Doctor"!
If the presence of our men of war vessels
are required to assist Blanco to
keep the peace, they should be
sent - as the employers of the volunteers
own the Commercio horses - stores
&c in this City, they can be readily

made to understand. that if the Volunteers get obstreperous or clamorous. the big navy of our splendid Navy will convert their establishments into Rubbish piles

and other things. The Spanish Government humanitarian policy being a matter of the past. as well as the prospect of the rapid march to the Year of Autonomy. will bring up the consideration of the next step.

I therefore take the liberty to suggest that our government. after a brief recital of the status to date of these two important subjects. should announce that the "reasonable time" mentioned by the President in his message. to put both into operation should be 30 days. and if at the end of that period the Spanish authorities here are unable to give liberty to the citizen and succor to those who have already lost over one half of their numbers by starvation alone. (some 200 000 souls) the U. S. must proceed to do both. in the interest of peace prosperity and humanity.

Yrs most truly Fitzhugh Lee

El Secretario del Gobierno General
de la Isla de Cuba

Monday

My dear General,

It is probable that I shall after noon from 3 to 5.30 General Blanco will call on you at the Hotel -

I thought to let you know - as it might be convenient to you to. Know about it -

As ever yours truly

José Langarica

Gen

My dear Lodge

We are all getting
along very well here, as
you will see by this note -
Blanco & Congosto called
at my rooms at the Inglaterra
Hotel yesterday - and refused
absolutely to discuss or even
to discuss the subject -

I hear this morning that
the two believe Blanco called
upon me to admit his inability
to that of his government to
solve the Cuban problem
& to ask what the end the
good offices of the U. S.
at which time the
full force of the terrible public
mind! Yours ever

Henry Cabot

I marked my dispatch No 726
Confidential - because its public attention might interrupt
the good feeling between us here -

!!

Lee to Judge

20 Dec. 15

Maryland Copy sent to Sec. Navy

CONSULATE-GENERAL OF THE UNITED STATES,
HABANA, CUBA.

Confidential Dec: 17. 97

My Dr Judge -

Please let Navy
Dept - substitute
this sentence - in place
of letter "a" -
Vessels might be employed
elsewhere - much when
directed by Commanding
Off. (naval) Key West
means as that "a"
means.

Should the telegraph
office be seized here

I might get such a message through - while they might think there was something negotiation in a -

Col. Ruiz - was killed before my men got there and Blanco's consent refused! -

Yrs respectfully

Fitzhugh Lee

ack & file

No. 728.

728

INDEX BUREAU REC'D. DEC 27 '97 DEPT. OF STATE

ASSISTANT SECRETARY DEC 28 1897 DEPARTMENT OF STATE.

DEPT. OF STATE DEC 27, 12.51 P.M. 1897 CHF. CLKS. OFFICE RECEIVED

U. S. CONSULATE GENERAL.

HABANA, December 21st, 1897.

acked by forwd Dec. 29, 1897

Hon. William R. Day,

Assistant Secretary of State,

Washington, D.C.

Sir:

As a matter of public interest I have the honor to inform the Department that on Monday, the 13th instant, Lieutenant Colonel Don Joaquin Ruiz, of the Spanish Corps of Engineers and aid de camp of the Captain General; an officer well and favorable known in this city, visited Colonel Aranguren, an active and enterprising insurgent chief with whom he had been formerly well acquainted as he had been in his employment when the said Ruiz had charge of the water works of this city. Colonel Ruiz left here at 6 a.m. on the Matanzas train on Monday the 13th instant, alighting at a station called Campo Florido, some 21 miles from this city, there he breakfasted with the Spanish commander and in company with two practicos (guides), a white man and a negro,, he rode on horseback in the direction of Aranguren's camp. After he had proceeded about 2 leagues (6 miles) he was met by Aranguren who was mounted and had an escort of 14 cavalry. Colonel Ruiz, after the exchange of salutations, began a speech to Aranguren and his party setting forth the prospective glories of automatic rule and, I am advised, made offers upon the part of the authorities here for the surrender of his command, whereupon Aranguren, acting under the instruction of his General in Chief Maximo Gomez, had Colonel Ruiz and his two men executed. It will be remembered that on November last Gomez issued a proclamation ordering his officers

No.

U. S. CONSULATE GENERAL.

HABANA,

to put to death any person or persons that should approach them with the effort to make them traitors to their comrades and cause, or to induce them to accept Autonomy under Spanish rule.

Aranguren, previous to the war, lived in Havana with his mother, but has since been a bold and active officer in the insurgent ranks. It was this officer who captured the train just outside of Havana some months ago and who released all the Spanish officers, but hung a Cuban whom he found belonging to the Spanish Army.

I think it would have been better had the Spanish authorities here conformed to the modern methods of intercourse between hostile forces. Colonel Ruiz should have been sent out with a sufficient force to protect him and preceded by a few men some distance ahead carrying a flag of truce. The advance picket post of his enemy could then have been communicated with and a message sent to their commanding officer that he was there for the purpose of having an interview with him.

Under these conditions Aranguren could have declined to have an interview with him, or, should he have accepted it, and met him and refused to listen to the proposals he brought, Colonel Ruiz could have returned to Habana and reported the result of his mission. I have been informed that similar parties who had been sent out to the insurgent lines elsewhere for the same purposes have met the same fate.

As I told a representative of one of our papers yesterday I think there is some similarity in the Ruiz-Aranguren matter to the cases of Arnold and André in our Revolutionary war. This transaction, lamentable as it is, forcibly testifies the fact that the insurgent chiefs will not entertain propositions of Autonomy, and as it was proposed to put Autonomy into operation

U. S. CONSULATE GENERAL.

HABANA,

for their benefit it is evident that it cannot be pronounced a success until they accept it.

In accordance with a request made to me by the Russian Consul and other friends of Colonel Ruiz, and with the knowledge, consent and approval of General Blanco, Governor and Captain General of theis Island, I made the attempt to save the life of the Spanish officer by sending to him Mr. Ernest Tosca, as my representative here, with the following note:

" Habana, December 16, 1897.

Mr. Nestor Aranguren.

"My dear Sir:

I am informed that a Spanish officer named Colonel "Joaquin Ruiz is yourprisoner. I write to say that the "said officer is a personal friend of mine, and has shown "me kindness and courtesy since my arrival at Habana. "I, therefore, request you as a ppesiallfavor to me to "release Colonel Ruiz and to allow him to return to this "capital.

"The bearer of this note, Mr. Ernesto Tosca, is my "personal representative, and I commend him to you.

I am etc.

(Signed) Fitzhugh Lee."

I regret to say that my representative did not reach the insurgent camp in time to deliver said note before Colonel Ruiz' execution, which had taken place on the day of Ruiz ' arrival, namely, the 13th instant, as above mentioned.

I am, Sir, your obedient servant,

Fitzhugh Lee

Consul General.

File

Confidential

Consulate General of the United States.

Habana, Wed. Dec: 22nd 1897

My dear Judge -

I send you a sample of the letters I am receiving almost daily from different part of the Islands. The writer is very well & favorably known as a sincere & truth ful man. The condition of the Island is beyond description & death from starvation is everywhere — The Reconcentrados have been abandoned to their fate. The Spanish never cared to feed them in the first place & the Island could not & they desired -

The plan for autonomy has been published in the papers here - I will send you in a few days (as soon as I can get time) a brief analysis of it & also the things left in the hands of the Spanish Rulers. Understanding Spanish character as I do - I do not hesitate to declare that the present plan of autonomy will not bring to the Island & people peace or prosperity - and will not be accepted by those for whom it is intended. Taken in connection with the additional force, that no longer is there an attempt made to deliver the people by governmental action — it would seem that

two of the principal pillars upon which the President constructed the most important part of his message & fearing to Cuba, are no longer standing — that the "near future" has demonstrated that a "righteous peace" is not likely "to be attained." "If not, the exigency of further, and other action by the United States will remain to be taken" — In this connection I beg pardon for making a suggestion. What possible & probable other "action" taken by the President, or the Passage by Congress of any measure looking toward intervention will be followed by demonstrations of some sort here. I am that creek & would recommend that two war vessels quietly & unostentatiously be ordered to this harbor a few days prior to such action on the part of the Executive or Congress for you to hear an "ounce of prevention is worth a pound of cure" — my agents as I called them report that Walling would withdraw from the presence of our ships. & that they would be ordered in the spirit they were sent - viz - as messengers of peace & protection to life and property —

Consulate General of the United States.

Habana, ... 189..

A large German national steamer arrived
from Hayti a few days ago. one of their
training ships - & now lies in the harbor.
without comment of any sort. Germany is
not more with peace than the United States
is with Spain - & there seems to be no reason
if such ships can go to Hayti with a resolve -
why they should not come here, where the motive
is probably greater -
Future vessels are no longer expected at Porto
Rico, they might stop here en route
& stay next as to here. I should like
however some of the larger class to first make
an appearance, in order to give these people
some ideas of what a fine modern ship of
war is & what she could do if required -
As at present advised, I do not see
after the first day or two - that there will
be any feeling - except that of admiration &
curiosity on the part of a great number
of the classes of citizens & more curiosity -

4. On the part of the
the Americans here look'd me for protection
& in such uncertain times, & with so much
uncertain & excitable people. I do not
like the responsibility of their lives being
to some extent in my keeping —

Events are following each other fast here now-
the Reform party - mentioned in Cannon's Say
have they say dissolved & are going to join
the Autonomists. The meeting which decided
that decision numbered 68 persons -
Last night the Conservative - or Moderate &
Extreme party held a meeting & determined
~~to~~ as individuals to actively
oppose autonomy - Order now I am informed
that a large number of the Spanish
Tobacco men are considering the question
of uniting in an address to the United States
requesting its intervention in any form that may
serve to bring about peace and restore tranquility -
At last they realize, it is said, that Spain
is powerless to check the desired consummation.
In the present attitude of the different factions

5

Consulate General of the United States.

Habana, ... 189..

Here, the party in power - even - puts forward
with the false information always given
those in authority here - but & confessing. Cuba stands
to lose - & are not sayers - or promises to
make the best of which cannot be avoided
by agreeing to sale -
It will be remembered that some years ago -
Gen Prim's advocacy of a similar proposition
had much to do with his assassination -
Prim was then Prime minister & there -
I am & long you have heard so
long a letter - but I plead the importance of
the subject - I send an official duplicate
of Sec. Number 728 - giving an account
of the deaths of Dr. Col. Ruiz -

Very respec: & truly yrs

Fitzhugh Lee

No. 729.

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DEPT. OF STATE
DEC 28, 3.16 PM 1897
CHF. CLKS. OFFICE
RECEIVED

U. S. CONSULATE GENERAL.

HABANA, December 24th, 1897.

Nos 14 & 15 ordinary Jan 3 98

Mr. LEE

TO THE

DEPARTMENT OF STATE

Answering Department's instruction 508, regarding wreck of Amer. schr. Wau-Bun".

Principal
#78 - Nov 23 -

No. 729.

U. S. CONSULATE GENERAL.

HABANA, December 24th,1897.

Hon.William R.Day,

Assistant Secretary of State,

Washington,D.C.

Sir:

With reference to the Department's instruction of the 17th instant,number 508,and in answer thereto,I have the honor to state that the full name of the commander of the military post at Cape San Antonio Light is Don JOSE MENDEZ y HERRERA , sub-lieutenant of Spanish Marines,and the commander of the Sapnish gun boat which took the men of the wrecked American brig "Wau-Bun" to Buenavista or D imas,is Don EUGENIO MONTERO y REGUERA,lieutenant of the Spanish Navy.

I am,Sir,your obedient servant,

Fitzhugh Lee

Consul General.

~~Enclosure No.1.~~

~~With December 22nd.1897.~~

~~H A B A N A, December 22nd,1897.~~

Copy.

Remedios,Dec.15,1897.

General Fitzhugh Lee,

Habana.

Dear Sir:

Supposing that you have no facility for learning what is really passing in this section,at the risk of intruding,I take the liberty of writing you this unsolicited communication because in these outlying districts things are often very different from what you see near the capital.

The situation here is truly horrible. In normal times the mortality of this place averaged from ten to twelve deaths per month. There are now that many per day. To-day there have been fourteen funerals. One father buried 3 children this afternoon. The cause directly or indirectly,is starvation or disease induced by prolonged privation. Yesterday while I sat waiting for a friend at the entrance of the town leading to the cemetery five funerals passed me in less than an hour. In fact, both morning and afternoon the burials form one long procession. The first thing we hear in the morning is the telling of the church bells for the deceased of the few families who can still scrape money enough together to pay 70 cents for each toll.

The deaths from the causes stated are not limited to the "concentrados",destitution has invaded almost every home of the old inhabitants of the town. families that have never known privation have but one meal a day generally rice with a little lard or a small slice of bacon. In most of these houses, the table has not been set forth for months. What little they get to eat is taken standing in the kitchen,and sometimes it is late in the afternoon before the fast is broken. Meat is from

40 to 60 cents per pound and poor at that. The majority have not tasted it for months. Out of 18 to 20 buttwo stalls are open in the market. The price of meat is kept up by infamous abuse, and many say that the Mayor of the town is one of those engaged in it. There are plenty of cattle to be obtained, but nothing is done to end this extortion. The local paper has published data showing that $40 is cleared upon every animal slaughtered, but without avail.

Mothers watch their younger children perish for want of milk, because the price per bottle, half water, has been raised to 10 and 15 cents per bottle, and condensed milk to 45 and 50 cents per can. Nearly all the neccessities of life have been raised to double price. Although offered by both Weyler and Blanco no rations have ever been given to the reconcentrados, nor is any thing being done for their relief. The mortality increases rapidly from day to day, and if something is not soon done, the whole Cuban population will disappear. I am not exagerating. I am giving the simplest facts. Even the prisoners released from the jail, as a proof of the clemency of the new regime, were turned loose upon the town and have been dying of starvation in the streets. One squad lined up in front of the jail to be turned adrift were insulted and cursed there by the volunteers on guard and told that they should have been hanged like dogs, long ago. One of the most horrid features of the whole situation is the indifference, if not satisfaction, with which the gradual extermination of a whole people is witnessed by the Spaniards.

The poor wretches who have worked for months in the cultivated zone to produce something to save their families from death, complain that even before the crops were fully fit for harvest they were stolen by the guerrillas.

The order allowing these starving creatures to leave the town has been a farce here. Its only aim seems to be that of forcing them on to the plantations, so that these might grind in proof that the country is pacified. No women have been allowd

to go out at all,and no men permitted to return to their farms, where in spite of Weyler these is still food enough to save them.

I see by the papers that contributions for these poor people from the United States are to be delivered to the bishop ~~fxam~~ for distribution here,I beg to impress upon the fact that if this is done one of the last acts of the Spaniards in Cuba will be the vilest of all,that of robbing the poor race they sentenced to extermination even of the funds the American people send for their salvation. We may safely say of any aid sent in this way,what Voltaire said of the Ode to Posterity "That it will never reach its adress". If you inquire what the priesthood is in this country I think you will be convinced that what I say is true,and sound the alarm in the United States before it is too late.

In the hope of convincing you I will cite as exactly as I can recollect it what occurred in Spain some years ago, and as there is more pervertion here than even in Spain itself and that is saying a great deal,you may judge what will happen here.

There were great innundations in the Spanish province of Murcia which left homeless thousands of people. Collections were made all over the world in their behalf,I think of a million of dollars was collected and a great noise made about it. This money was given to their bishops to distribute and nothing more was thought of the matter in the conviction that the sufferers were fully relieved. About a year ~~ago~~ after it occurred to a London paper (The Daily News) I think,to send a reporter to find out what had been done with the money. ~~His~~ reportewas that he found the churches and bishops ~~pxx~~ palaces newly adorned,property of the church which had been confiscated by the Government bought back,but in all Murcia he did not find a single sufferer who had received one cent. The tender mercies of the Spaniard are cruel beyond all belief

and of all the vile horde who come here to extort money from these people the clergy are beyond all doubt the vilest and the worst. We have a priest here at this moment, who is cajoling the women to give him considerable sums for "aguinaldo" masses, and is filling his pockets, but he has not gone near these starving people nor done anything for their relief. You may imagine what a model distribution of American charity this man would be, and most of them are worse, for he pretends at least to be a liberal. The majority "blackguard" the masons from the pulpit wherever they go. If the aid from the States is not distributed by the consulates it will simply be sent to enrich a set of thieves .

In regard to the necessity of war ships fot eh protection of Americans in case of any popular excitement against the United States, I believe that in this part of the Island one will be needed, in every port and that in case of any atrocity the spanish element should be convinced that the per petrators will be demanded and hanged at the yard arm. It is not the volunteers who are most to be feared. One of the marked indifference between this war and the former war is that thw volunteer have learnt a lesson from the odium they then brught upon themselves, but have used the guerillas who are under their influence to do all their butcheries and have in many cases secretly paid them for the work. The guerillas are as a rule thieves and assasins, and even after Blanco's order to respect lives and property, have killed unarmed men, and I have myself seen them still coming into town with their spoils. Whereveever they can rob or kill without leaving any evidence they will do so and should the U.S. be obliged to use force here, Americans will not be safe without war ships. they are very ignorant and have been taught to believe that Spain is more powerful than the U.S. and that they will be perfectly safe to do what they may. In the chain of forst between this place and

Sancti Spirtus there is one in a wild desolate place called Pedro Barba with a agarrison of 12 men. Either from want of troops or provisions or through heglect they were left nearly 3 months without being visited entirely cut off from aid. 6 Cuban presentados gave themselves up at this station and died of starvation. After having subsisted for some time on the meat of 6 dogs they had, 3 soldiers died before aid came. A ~~few~~ A few days ago the survivors out of eighteen men, were brought to the hospital of this place too weak to walk or take the ambulance, they had to be transported from the R.R? station on litters . According to their own accounts the troops have not been paid for 10 months and the employess of the prison for a whole year.

I have just heard that in Camajuani the people are dying on the piazzas of the houses, their only refuge at night and that the men sent to bury them tie the hands and feet of the corpses and then sling them on apole as they would a pig and dump them in a hole as they would a carcass and cover them with earth . At placetas the corpse of a girl 15 years old was acrried entirely naked through the streets upo an open cart. The onecharged here with the registry of deaths told a friend of mine he did publish a correct report so as not to alarm the public.

I am, est. etc.

Sgd) ~~James H.Dod.~~

Dodds surname but should not be published if the letter should be

Habana
Dec 27, 1897.

Form No. 1516.

CABLE MESSAGE.
THE WESTERN UNION TELEGRAPH COMPANY.

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1CO K PR 98 Gvt.

RECEIVED at 6:22 P.M. Washington D.C. Dec 27/97. 189

Havana, Dec 27th. Assistant Secretary State,
Washington.

Summer clothing second hand or otherwise principally for small women and children medicines for fevers A large proportion being opinions hard bread cornmeal bacon rice lard potatoes beans peas salt fish principally codfish any canned goods and especially large quantities condensed milk as many persons at first are too feeble for other nourishment money will be useful too to secure shelter and for nurses attendants and many other purposes think fifty per cent of the rural population have already died from starvation the greater number being old men women and children.

Lee.

INDEX BUREAU REC'D. DEC 27 1897 DEPT. OF STATE.

DEC 28 1897 ASSISTANT SECRETARY

Copy sent to the President.

TELEGRAM RECEIVED.

5 7th

Confirmed
January 2. 1898
J. Gst

DEPT. OF STATE

DEC 28 3.55 PM 1897

CHF. CLK'S. OFFICE
RECEIVED

From Havana

Dec 28, 1897.

Received 3.46 P.M.

Judge Day,
State Dept,
Washn, D.C.

Drawn unofficially as requested Write as to method of disposal

Lee

[COPIED]

Cons. No. 730 ack'd file

No. 730.

ASSISTANT SECRETARY
JAN 4 1898
DEPARTMENT OF STATE

U. S. CONSULATE GENERAL

HABANA, Dec. 28, 1897.

Cashs. by Jarvis
Jany. 5/98.

INDEX BUREAU
REC'D.
JAN 3 1898
DEPT OF STATE

Mr. LEE

TO THE

DEPARTMENT OF STATE

Enclosing a newspaper clipping.

My Sun
12. 12. 97

GEN. LATORRE'S DECREE.

Nothing Has Been Received at the State Department About It.

WASHINGTON, Dec. 13.—State Department officials said to-day that nothing had been received by them about the decree issued by Don Agustin Latorre, commanding the Spanish forces in Puerto Principe, Cuba, forbidding, under penalty of death, the display of any flag but that of Spain. The protest of the consular officers of the United States, Great Britain, France, and Germany has not reached the department. One official, familiar with the consular regulations and the rights accorded consular officers in foreign countries, after reading the translation of the decree published in THE SUN this morning, said that if the reference to the death penalty was intended to apply to consular officers it would not hold. Such a threat against the representatives of foreign countries was ridiculous, he said, and would not be tolerated. He added, however, that the display of a flag over a consular office or residence was not a right, except when accorded by treaty, and the flag could be floated only through the courtesy of the Government to which the Consul was accredited. The consular regulations are plain on that point. They say that "permission to display the national flag is not a matter of right, though it is usually accorded and is often provided for by treaty."

It has never been definitely settled whether subordinate officers of a consulate can claim the privilege of displaying the flag or arms of their countries, even when the right is guaranteed by treaty. The opinion of the State Department, as expressed in communications of years past, is to the contrary, especially when the officer is not a citizen of the country which he represents. A number of the minor consular representatives of the United States in Cuba are Spanish subjects. They take the offices, which pay little or nothing, on account of the social and business standing which they carry.

Another official, an authority on diplomatic questions, said that he was unable to tell from the English copy of the decree whether the flag prohibition was intended to apply to consulates. Spanish was capable of so many translations, he said, that he would not like to express an opinion unless he saw the original. As to the right of Gen. Latorre to issue such an order and his reasons for action he was also reticent, although agreeing with the other official that the display of his national flag by a foreign Consul was a privilege that could be forbidden if not guaranteed by treaty.

"There are occasions," he said, "when a Government finds it expedient to forbid a foreign Consul to fly the flag of his country in order to protect his life and his property from harm. Some years ago, after an assault on some Portuguese subjects in Spain, the Spanish Government suggested to the Government of Portugal that perhaps if the subjects of the latter country would not display their national flag on their houses they would not be molested, as the flag indicated to the lawless element the nationality of the persons inhabiting the places over which it was flying. I would rather not express any view on the matter until I know more of it.

The fact that Gen. Lee, the United States Consul-General at Havana, has not communicated with the State Department in regard to Gen. Latorre's decree, created some surprise at the department, because Gen. Lee has been active in resenting any interference by the Spanish authorities in Cuba with American consular representatives. The opinion was expressed that Gen. Lee secured a revocation of the decree, or a satisfactory explanation that the penalty of death did not apply to United States Consuls, and will report the facts by mail.

No. 730.

U. S. CONSULATE GENERAL.

HABANA, December 28th, 1897.

Hon. William R. Day,

Assistant Secretary of State,

Washington.

Sir:

I have the honor to enclose a newspaper clipping, and to say that it gave me the first information of a proclamation said to have been issued by Don Agustin Latorre, a Spanish major, and commandant of Nuevitas, Puerto Principe province.

I understand that in consequence of there being a large number of insurgents around the place, and fearing some attack from same, and the raising of the Cuban flag inside the town, because there was a great number of Cubans there, that some such decree was issued by this officer. I cannot ascertain that it had any connection at all with the United States flag, there being at that point, no consular agent, or any other representative of the United States.

I am, Sir, your obedient servant,

Fitzhugh Lee

Consul General.

1 Enclosure: Clipping referred to.

731

No. 731.

ack & file

ASSISTANT SECRETARY
JAN 10 1898
DEPARTMENT OF STATE.

U. S. CONSULATE GENERAL.

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REC'D.
JAN 3 1898
DEPT OF STATE

HABANA, Dec. 28, 1897.

Acknd. Jany 12/98.

Mr. LEE

TO THE

DEPARTMENT OF STATE

Relative to the Relief Fund.

No. 731.

U. S. CONSULATE GENERAL.

HABANA, December 28th, 1897.

Hon. William R. Day,

Assistant Secretary of State,

Washington.

Sir:

I have the honor to report that the following number of destitute American citizens are now being fed by the Congressional Relief Fund:

In Matanzas

Men	59	
Women & Children	275	
	334	
Of which		
Native	47	
Naturalized:	287	
	334	334

In Cardenas:

Men	8	
Women	10	
Children	47	
	65	
Of which		
Native	5	
Naturalized:	60	
	65	65

In Sagua la Grande:

Men	66	
Woman	94	
Children	133	
	293	
Carried over		399

No.

U. S. CONSULATE GENERAL.

HABANA,

Brought over		399
(Magua continued)		
Of which		
Native	40 40	
Naturalized	253	
	293	293
In Cienfuegos:		
Men	28	
Women	38	
Children	66	
	132	
Of which		
Native	111	
Naturalized	121	
	132	132
In Santiago de Cuba:		
Men	14	
Women	23	
Children	41	
	78	
Of which		
Native	8	
Naturalized	70	
	78	78
In HABANA:		
Men	191	
Women	250	
Children	405	
	846	
	Carried over.	902

No.

U. S. CONSULATE GENERAL.

HABANA,

Brought over		902
(HABANA continued)		
Of which		
Native	109	
Naturalized	737	
	846	846
TOTAL		1748

RECAPITULATION:

Men	366
Women	415
Children	692
Women and children (Matanzas report)	275
TOTAL	1748

Native born citizens	220	
Naturalized citizens	1528	
TOTAL	1748	1748

I have also to report that 165 American citizens have been returned to the United States.

I respectfully call the attention of the Department to the fact that there are only 366 men, out of the 1748 persons, who are daily receiving the benefits of the Congressional Relief Fund, and that only 220 are native born citizens, the remainder are women and children, nearly all of whom have never been in the United States, and have no intention of ever going there, but are the wives and children, in great part, of naturalized American citizens, very many of whom have been in business on this Island, with no intention, after

No.

4.

U. S. CONSULATE GENERAL.

HABANA,

having been once naturalized, and returning to Cuba, of again becoming residents of the United States, all of which is owing to the defect of our naturalization laws.

I have the honor to further report that $30.000, out of the $50.000 appropiated by Congress have been expended.

I am, Sir, your obedient servant,

Consul General.

No. 732.

Ack & file 97

U. S. CONSULATE GENERAL.

HABANA, December 28th, 1897.

INDEX BUREAU
REC'D.
JAN 3 1898
DEPT. OF STATE

ASSISTANT SECRETARY
JAN 8 1898
DEPARTMENT OF STATE

Mr. LEE

TO THE

DEPARTMENT OF STATE

Rec'd. by Journ
January 10/98.

Cuban affairs.

2 COPIES MADE.
COPIED FOR CONGRESS.

No. 732.

U. S. CONSULATE GENERAL.

HABANA, December 28th, 1897.

Hon. William R. Day,

Assistant Secretary of State,

Washington.

Sir:

I have the honor to report that I have been informed by the authorities here, that there are now engaged in forming an autonomistic cabinet and arranging for the members to take the required oath on the 1st January next, and, also, for an election to take place some 30 days thereafter. The present Government of Spain, as well as the officers in authority here, will, of course, do every thing in their power to put into operation, with or without the consent of the people, what they term an autonomistic form of Government. This may be partially effected by a supervision of the registration list of voters, or, as they call it here, the "census". My present information is that most of the Spaniards will refrain from voting, and nearly all of the Cubans. In that case it is possible to organize a skeleton Government. A defeat of the Autonomists at the polls, or a change in the Ministry in Spain terminates, of course, Autonomy.

The feeling in Habana, and, I hear, in other parts of the Island is strong against it. The Cubans desiring an independent Republic, and the Spaniards preferring annexation to the United States, rather than Authomy. On the night of the 24th instant there seems to have been a concerted plan over the Island to testify the dissapprobation of the people to the proposed Autonomistic plans of the Spanish Government.

It culminated in this city about 2 o'clock in the morning of the 25th, in the principal square of Habana, where a mob assembled with cries of "death to Autonomy", and to general Blanco,

U. S. CONSULATE GENERAL.

HABANA,

and shouting "Viva Weyler!". These men came to the square with stones in their pockets, and some of them armed with weapons.

They made a demonstration, too, against the office of the "Diario de la Marina", a paper published in this town favoring Autonomy; but were dispersed by the military police and soldiers.

I heard the next day that many Spanish officers, who did not take any part in the outbreak, had declared, that if they had taken sides, they would have fought in the ranks of the anti-autonomists.

I am, Sir, your obedient servant,

Fitzhugh Lee

Consul General.

ack'd file

No. 733.

ASSISTANT SECRETARY
JAN 4 1898
DEPARTMENT OF STATE.

U. S. CONSULATE GENERAL.

INDEX BUREAU
REC'D.
JAN 3 1898
DEPT. OF STATE

HABANA, Dec. 28, 1897.

Received by forwarding
Jany. 5/98.

Mr. LEE

TO THE

DEPARTMENT OF STATE

Confirming and acknowledging receipt of telegrams.

No. 733,

U. S. CONSULATE GENERAL.

HABANA, December 28,1897.

Hon .William R.Day,

Assistant Secretary of State,

Washington.

Sir:

I have the honor to acknowledge receipt of the following telegrams: "Washington,Dec.24

"Lee,Consul General,Habana.

"The following was given to the public,in pursuance "of an arrangement this day made with the Spanish Minister "to that effect : "By direction of the President,the "public is informed that in deference to the earnest "desire of the Government to contribute by effective "action toward the relief of the suffering people in the "Island of Cuba,arrangements have been perfected,by which "charitable contributions in money or kind can be sent to "the Island by the benevolently disposed people of the "United States. Money,provisions,clothing,medicines ,and "the like articles of prime necessity can be forwarded to "General Fitzhugh Lee,the Consul general of the United "States at Habana, and all articles now dutiable by law so "consigned will be admitted into Cuba,free of duty. The "Consul General has been instructed to co-operate with the "local authorities ,and the charitable boards for the dis- "tribution of such relief among the destitute and needy "people of Cuba. The President is confident that the "people of the United States,who have on many occasions "in the past responded most generously to the cry for "bread from people stricken by famine or sore calamity,and "who have beheld no less generous action on the part of "foreign communities,when their own countrymenb have "suffered from fire and flood,will heed the appeal for "aid that comes from the destitute at their threshold, "and especially at this season of good will and rejoicing, "give of their abundance to this humane end. John Sherman" "Please co-operate with the loael authorities to this end" (Signed) Day".

"Washington,Dec.27.

Lee,Consul General,Habana.

"Wire immediately character of supplies most needed "for Cuban relief. Will money be of more service than "food,clothing etc.? (Signed) Day".

I have also the honor to confirm the following telegram:

No. 733.

U. S. CONSULATE GENERAL.

HABANA, December 28,1897.

"Habana,Dec.27.

"Assistant Secretary of State,

"Washington.

"Summer clothing,second hand or otherwise,principally "for small women and children. Medicines for fevers,a "large proportion being quinine. Hard bread,corn-meal,rice "lard,potatoes,beans,peas,salt fish,principally cod-fish, "any canned goods,and especially large quantities con- "densed milk,as many persons at first are too feeble for "other nourishment. Money will be useful,too,to secure "shelter,and for nurses,attendants and many other pur- "poses. Think fifty per cent of the rural population have "already died from starvation,the greater number being old "men,women and children.

(Signed) Lee.

I am,Sir,your obedient servant,

Fitzhugh Lee

Consul General.

DEPT. OF STATE
JAN-4 11.14 AM 1898
CHF. CLKS. OFFICE

No. 734.

U. S. CONSULATE GENERAL.

HABANA,

December 29, 1897.

ASSISTANT SECRETARY
JAN. 6. 1898
DEPARTMENT OF STATE.

INDEX BUREAU
REC'D.
JAN 4 1898
DEPT. OF STATE

Mr. LEE

TO THE

DEPARTMENT OF STATE

Transmitting a confidential despatch from the U.S. Consul at Cagua.

No. 734.

U. S. CONSULATE GENERAL.

HABANA, December 29,1897.

Hon .William R.Day,

Assistant Secretary of State,

Washington.

Sir:

I have the honor to transmit herewith a confidential despatch from our Consul at Sagua la Grande. The idea advanced is,in my opinion,a good one,but cannot be carried out,for the present,because the United States would not authorize any communication with the insurgents without the approval of Spain,and Spain's endorsement would be withheld, ~~because~~ for if granted would be a practical admission that it was no longer possible for her to protect property on this Island,and,therefore, she consents to refer it to an enemy who could.

I am,Sir,your obedient servant,

Fitzhugh Lee

Consul General.

Enclosure: Despatch from U.S.Consul at Sagua referred to.

735

DEPT. OF STATE

JAN-4 11 14 AM 1898.

No. 735.

CHF. CLKS. OFFICE

INDEX BUREAU REC'D. JAN 4 1898 DEPT. OF STATE

ASSISTANT SECRETARY JAN 4 1898 DEPARTMENT OF STATE

U. S. CONSULATE GENERAL

HABANA, December 29,1897.

Mr. LEE

TO THE

DEPARTMENT OF STATE

Recd. by Jarman Jany 5/98.

Relative to the death of the Spanish Lieutenant Colonel Joaquin Ruiz.

No. 735.

U. S. CONSULATE GENERAL.

HABANA, December 30th, 1897.

Hon. William R. Day,

Assistant Secretary of State,

Washington.

Sir:

Referring to my despatch number 728, of the 21st instant, I desire to say further that the note to Aranguren contained therein was not delivered, because when my representative reached his camp, this insurgent chief was temporarily absent therefrom, but the next ranking officer, then in command, gave to my representative, Mr. Tosca, the following statement:

"Camps of Cuba.

"Details of the death of the Lieutenant Colonel

"Joaquin Ruiz.

"This gentleman came to these fields dressed in the "uniform of a Spanish military officer and before the "Cuban forces made to Colonel Nestor Aranguren proposi- "tions of Autonomy for Cuba. Then Colonel Aranguren, res- "pecting the orders of our Army, made Ruiz a prisoner, and "he was executed later, after a court martial had been "held, in the name of the law of organization of our Army.

"And that it may be known, I furnish this information "to Mr. Ernest Tosca, who came commissioned by the American "Consul at Habana.

(P.y L.) (Country and Liberty) Dec. 18, 1897.

"Army of Cuba". (Signed) Major Alfredo Lima".

It now appears that Colonel Ruiz visited the insurgent camp in his private or unofficial capacity, and that with the exception of one or two of the authorities at the palace, and possibly a few others, no one knew of his errand or of his

departure. It would seem, therefore, that he went into the insurgent camp in an unofficial or private character, and not under a flag of truce or other official protection, in war, a procedure, always hazardous to the life of any one who attempts it.

In connection with this matter I think it proper to state that the account published in some of the newspapers, as well as telegraphed by some of the Spanish authorities here, that Aranguren was killed, ~~else~~, is not in accordance with facts.

I am, Sir, your obedient servant,

Fitzhugh Lee

Consul General.

CABLE MESSAGE.

THE WESTERN UNION TELEGRAPH COMPANY.

All the Conditions

E MESSAGES received for transmission at these offices or from outside Message Blanks provided by this Company for that purpose, under and subject to inted thereon, and on the back hereof, which conditions have been agreed to by the sender of the following message.

THOS. T. ECKERT, General Manager. NORVIN GREEN, President.

DEC 31 1897

TWO AMERICAN CABLES FROM NEW YORK TO GREAT BRITAIN.
CONNECTS ALSO WITH FOUR ANGLO-AMERICAN AND ONE DIRECT U. S. ATLANTIC CABLES.
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GLASGOW: No. 29 Gordon Street.
BRISTOL: Backhall Chambers.

68 U S Govt Rate

RECEIVED at Havana 1897

Dec 30.

Asst Secretary of State

Washington

Suggest advantage making arrangements with transportation lines delivering Cuban freight would be greater than if Contributors had to arrange payment freight in whole or part money can be used here for transportation steamers to shore hauling to and rent of buildings for distribution railroad or steamers

Amd acc Confirmation Jany 3 98

FORM No. 1516.

CABLE MESSAGE.

THE WESTERN UNION TELEGRAPH COMPANY.

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BRISTOL: Backhall Chambers.

RECEIVED [illegible]

1889

freight to other points on Island
Cairo transporting articles short distances
country and other purposes

Lee.

DEPT. OF STATE

Jan-4,11 14 AM/898

CHF. CLKS. OFFICE

No. 736.

736

INDEX BUREAU REC'D. JAN 4 1898 DEPT. OF STATE

U. S. CONSULATE GENERAL.

HABANA, Dec. 31st, 1897.

Ack by Tel. Jany 7, 1898

Mr. LEE

TO THE

DEPARTMENT OF STATE

Confirm Telegram
Telegram confirmed
January 10/98.

Relative to the Relief Fund.

No. 736.

U. S. CONSULATE GENERAL.

HABANA, December 31st, 1897.

Hon. William R. Day,

Assistant Secretary of State,
Washington.

Sir:

I have the honor to state that the last $5,000 sent here for the relief of destitute Americans are nearly exhausted, and that $5.000 more will be needed for the same purposes. I have also the honor to report that the distribution of that fund commenced on June 15th, about 6 months and a half ago, in this province, and its vicinity, under my personal supervision, and that $9.084 have been spent for this purpose. The number of persons relieved have averaged about 846 daily, which is a little over $10 for each person for the entire period, or less than 6 cents to each person daily. The balance of the $30.000 received to date, has been sent to the other Consuls on the Island, and has been used by them for the purchase of food, medicines, etc., in their respective consular districts.

I am, Sir, your obedient servant,

Fitzhugh Lee

Consul General.

(Personal)

Consulate General of the United States.

Habana, Dec 31st 1897

My dear Judge

Tomorrow is purposed to administer the oath to the members of the Autonomistic Cabinet. I send you the invitation I have received. Nearly every body here seem to be highly amused at the proceedings & are making fun out of it all. There is a table in the Salon for the Cabinet & in front of each chair I am informed is a silver ink stand (each ink stand costing from 50 to 60 Dollars) a pen & paper with & stamp letter heads &c &c. This is proposed to be done 30 days before the Elections & with that view the first act of the new Regime will be to arrange the census as they call it. The registration of voters - of large numbers - as now decided - & the obtaining from voting - & the registration lists are fixed in the interest of the Autonomistic Authorities. It is possible the Elections for the Insular Chambers may not take out as planned by 15 days (?) By the initials generally the whole thing & garden as a farce - played to get time - with the hope something may turn up - At any rate

Blanco being sent there for the purpose of planting autonomy must dig away at it though he see's the earth slipping beneath his feet. Some of the highest Spaniards told me yesterday, they had a great sympathy for him. because the most failure, must be written on the last page of a long & honorable career. he could not perform an impossibility. & they further said, that the only way to end the war was by the Weyler method (of Extermination) & the United States would not allow them to go back to them again. - So the only way out of it all from their standpoint was one which alone could save the reigning power in Spain. when autonomy failed. I

A gentleman told me, who was talked to Canalejas. on his return from Geneva yesterday from a trip over the Island. that he too was talking the same way. though he knew that in that case Spain would lose the Island. - without getting any money for it & have to pay the whole of the Cuban debt. - instead of an equitable portion of it.

As a business proposition the sale of Cuba would bring the greatest results for Spain — a few hundred millions to her empty purse & a release from a good part of her Cuban debt. but the trouble is — Nobody in power dares to advocate it — preferring to go through the form of war for the honor of Spain "to teach a lesson to the Nation of Shop keepers"!! & that is done — Cuba can be won without firing a shot or landing a soldier —

After the surrender of Habana soldiers would have to be landed to facilitate the embarkation of the Spanish soldiers and for limpieza de [illegible] &c &c —

I do not see why the Spaniards are objecting & violently to Autonomy. or imagine that the control of the Islands for all local purposes will pass into the hands of the Cubans — The Council of administration is composed of 35 members — 18 to be elected & 17 to be appointed by Gov Gen — There is to have to possess an income of $4000 — which very few if any Cubans have now It will be easy to secure a number of the 18 — but two would be sufficient to add to the 17 — to control the body which with the veto power given to Governor Gen will block the action of the "Chamber of Representatives" whenever necessary —

I send you a very brief outline of the plan translated from the Official Gazette as soon as I can get time, will analyze it fully. Enrollment of Cubans is taken up and a Census taken very hastily. My mail is a large outside Official work. Scott. World Correspondent. Returned here last night from a visit to Gomez. Lee went with him. Left Gomez in the western end of Puerto Principe Province near the boundary of Santa Clara about 50 miles east from Sancti Spiritus. Scott says Gomez is in excellent health & spirits. His men have plenty to eat. Will not accept autonomy under any terms. So it is fair to presume not many Cubans will vote in the proposed election. The Spanish soldiers cannot vote & the Spanish Citizens in great part will not vote. We have mixed up as we all are. How difficult it is to see daylight ahead.

Very sincerely yours

Fitzhugh Lee

Translation

Theodore

GOBIERNO GENERAL
DE LA
ISLA DE CUBA

SECRETARIA GENERAL

Con motivo de tomar posesión de sus respectivos cargos los Sres. Presidente y Secretarios de Despacho del Gobierno de esta Isla el dia primero de Enero próximo, en la forma que previenen las disposiciones vigentes, y debiendo prestar jurumento con arreglo á la Ley, de órden del Excelentísimo Sr. Gobernador General tengo el honor de invitar á V. para que se sirva concurrir á dicho solemne acto, que tendrá lugar á las 9 de la mañana del expresado dia en el Palacio del Gobierno.

Habana 29 de Diciembre de 1897

Jose Gonzalez

Sr Consul Gral de los Estados Unidos

General Government of
the Island of Cuba.
Office of the Secretary General

Whereas the President and Secretaries of Departments of the Government of this Island will take possession of their respective offices on the first January next, in the form provided by the ruling regulations, and inasmuch as their oaths shall be taken in accordance to Law, by order of His Excellency the Governor General I have the honor to invite you to please attend said solemn act, which will take place at 9 o'clock in the morning of the said day at the Government Palace.

Habana, 29 December, 1897.

(signed) Dr. Jose Congosto

To the Consul General of the United States.

MEMORANDUM.

The INSULAR PARLIAMENT will be divided into two Chambers and one Governor General, representative of the ~~Metropolis~~ Spain, who will exercice the Supreme Authority in the name of the latter.

The faculty to legislate regarding colonial affairs, according to law, belongs to the insular Chambers, together with the Governor General.

The insular representation is composed of two bodies: The "Chamber of Representatives" and the "Council of Administration".

The Council of Administration.

This Council is composed of 35 individuals, of whom 18 shall be elected in the form indicated by the Electoral Law, and the other 17 shall be designated by the King, and in his name by the Governor General.

Principal requisites: to be a Spaniard (meaning a Spanish subject, of course); to be over 35 years of age; to have been born in the Island, or to have resided four years consecutively in same; to possess for two years previous to the appointment an annual income of $4000, and to have no participation in the contracts with the central Government or with that of the Island.

The Chamber of Representatives.

This Chamber will be composed of persons appointed by electoral Boards, in accordance to law, and in the proportion of one for every 25.000 inhabitants.

Principal requisites: to be a Spaniard; of age; to have been born in the Island, or to have lived four years consecutively in same.

The GOVERNOR GENERAL.

This Authority reserves his right of veto etc. etc.

ELECTORAL RIGHT.

Requisites: Male Spaniards of the islands of Cuba and porto Rico, over 25 years of age, and whobhave resided over two years in the Municipality where they are to vote.

---------o---------

INDEX BUREAU
REC'D.
JAN 6 1898
DEPT. OF STATE

Habana
January 1. 1898.

1516.

CABLE MESSAGE.

THE WESTERN UNION TELEGRAPH COMPANY.

CABLE MESSAGES received for transmission must be written on the Message Blanks provided by this Company for that purpose, under and subject to conditions printed thereon, and on the back hereof, which conditions have been agreed to by the sender of the following message.

THOS. T. ECKERT, General Manager. NORVIN GREEN, President.

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GLASGOW: No. 29 Gordon Street.
BRISTOL: Backhall Chambers.

3rd ASSISTANT SECRETARY
JAN 2 1898

Received Jany 5. 98

RECEIVED at Washington DC 2:50 PM Jan 1 1898

NY YD ME 15 U S Govt Havana Jany 1

Assistant Secretary State Washington, DC

First sent add blankets and Flour.

Lee.

Grierson Press

Havana

Consl.

RECEIVED.

INDEX BUREAU REC'D. JAN 5 1898 DEPT. OF STATE

TELEGRAM S[redacted].

Department of State,

~~Washington,~~ ~~189~~.

Havana, January 5, 1898.
(received 4.55 p.m.)

Confirmed Jany 8, 1898

Assistant Secretary State,

Washington.

It is not true that the government here is giving the equivalent in money in lieu of rations in kind as stated in note of Spanish Minister to you of December twenty-four.

L E E.

2 COPIES MADE.

COPIED FOR CONGRESS.

Sent _____, *189*____ *M.*

_____, *Operator.*

Consular

737

No. 737.

ack'd & file

ASSISTANT SECRETARY
JAN 11 1898
DEPARTMENT OF STATE.

U. S. CONSULATE GENERAL.

INDEX BUREAU
REC'D.
JAN 8 1898
DEP'T OF STATE

HABANA, Jan. 5th, 1898.

Mr. LEE

ack'd. by forces January 12/98.

TO THE

DEPARTMENT OF STATE

Relative to the effects of Mr. Charles E. Crosby, killed in an engagement on the 9th March, 1897.

1 Enclosure.

No. 737.

U. S. CONSULATE GENERAL.

HABANA, January 5th, 1898.

Hon. William R. Day,

Assistant Secretary of State,

Washington.

Sir:

I have the honor to call attention to the fact that on the 9th March, 1897, Mr. Charles E. Crosby, a citizen of New York, who visited this Island and joined the insurrectionists, was killed at an engagement which took place at Santa Teresa, Santa Clara province,. General Gomez had him buried and notified me that he had in his possession certain moneys and effects belonging to this gentleman, which he would only deliver upon my written order and receipt for the same. As I had several letters from Mrs. Crosby, requesting me to secure these possessions of her late husband I communicated with General Weyler, then Captain General of the Island, asking permission to send a man through his lines into the lines of the insurgents for that purpose, but my request was not granted. Lately, Mr. Madrigal, who has recently been appointed U.S. Consul to Cartagena, Colombia, stated to me that he thought he could be able to obtain the money and articles in possession of Gomez, left by Crosby. General Blanco, the Captain and Governor General of the Island, provided him with the papers necessary to have through his troops, and I supplied him with an order and receipt for the money and other effects. Mr. Madrigal successfully performed his mission, being at the camp of General Gomez some two days, bringing back with him the moneys and articles mentioned in the enclosed list.

I am, Sir, your obedient servant,

Fitzhugh Lee

1 Enclosure: List referred to. Consul General.

Mil Despatch 737
Jan. 7/98.

TRANSLATION.

(SEAL)

Inventory of articles belonging to the American citizen Mr.Charles E.Crosby,killed at the combat of Santa Teresa on the 9th instant:

41 centenes ($5.30 Spanish gold pieces) - 100 dollars in an American bank note - $6.80 Spanish silver - 15 cents in Spanish bank bills - A watch with two metal covers number 3.429.532,mark Elgin,red center - Two penknives (G) a five pointed silver star - An iron watch chain and a common scarf pin of white metal - (G) An automatic pen - A Russian leather pocket book - Two leather purses and 60 cents in Spanish stamps and two cents in American stamps - (G) Lorgnette "Keiffel & Eiser (G),a blue over coat)G) a water proof (G), a white cotton hammock,(G) a pair of boots,(G) two pairs of leggins (G) a pair of bags of sail cloth - A pair of low rubber shoes - A travelling bag (G) - Two belts and a leather scabbard (G) - A pair of steel eye glasses - A bureau mirror (G) - A cotton shirt (G)- A towel (G) - Two neckties and two handkerchiefs,a pair of stockings and a loose collar - A tobacco pouch - A soap dish with soap - A hone - An elixir bottle (G) A bottle tooth powder (G)- A bottle containing quinine pills(G) Two small tubes containing Cirles pills (G),a bandage (G),two gourds(G) a french and spanish vocabulary - Two note books -a copy of the newspaper "Las Villas" and another one of the "Independencia" - A passport in his name issued by the Department of State - a letter from the editor of the Chicago Record- a certificate from the American Consul at Sagua la Grande in his favor - a letter for general Rius Rivera,signed by J.H. Hanna,another one,for the President Salvador Cisneros signed by F.Lopez Queralta - a code - a pass from the military commandant of Vega Alta - a personal letter - Sundry unimportant papers-

E.

A small pouch containing insignificant artiales - P & L (country and Liberty) La Reforma Camp,Sancti Spiritus,10th March, 1897 - The Colonel Chief of Despatch -Germin Valdes Dominguez - True and exact - The general in Chief M.Gomez - Note- All the articles above mentioned marked with the letter (E) have been distributed by me among those who were by his side, because notwithstanding the short time he was with us,Mr. Crosby captivated our affection,and even I have not been able to control my desire to preserve the star which he wore on his hat and an automatic pen,in order to keep the star and to offer it personally some day in memory of my friend,who died bravely by my side,to his eldest son. P y B.Date as above - The General in Chief - M.Gomez.

I certify that the foregoing is a true copy of the original on file in the archives of these Headquarters of the Army.

P.y B. In Campaign,December 23rd,1897.

The Chief of staff

Lieutenant Colonel Melchor L.de Mola.

No. 738.

738

U. S. CONSULATE GENERAL.

HABANA, Jan. 5, 1898.

1898

DEPT. OF STATE
JAN-8,12.01 PM 1898
CHF. CLKS. OFFICE
RECEIVED

INDEX BUREAU
REC'D
JAN 8 1898
DEPT. OF STATE

Mr. LEE

TO THE

DEPARTMENT OF STATE

File

Confirming telegrams.

No. 738.

U. S. CONSULATE GENERAL.

HABANA, January 5th, 1898.

Hon. William R. Day,

Assistant Secretary of State,

Washington.

Sir:

I have the honor to acknowledge receipt of the following cypher telegram:

"Washington Dec. 31

"Lee, Consul General, Habana.

"Your suggestions are most timely. Arrangements are "in progress to organize Red Cross receiving and forward-"ing bureau in New York and later probably receiving "bureau in Habana, under your direction, with Red Cross "agents to do detail work.

(Signed) "Adee.

And to confirm the following telegram:

"Habana, Jan. 1.

"Assistant secretary State,

Washington.

"To list sent add blankets and flour.

(Signed) Lee.

I am, Sir your obedient servant,

Fitzhugh Lee

Consul General.

No. 739.

DEPT. OF STATE
JAN 11, 12 45 PM 1898
CHF. CLKS. OFFICE
ANSWERED

INDEX BUREAU
REC'D.
JAN 11 1898
DEPT. OF STATE

U. S. CONSULATE GENERAL.

HABANA, January 5th, 1898.

Mr. LEE

TO THE

DEPARTMENT OF STATE

To J. Marshall, Spokane, Washington, January 15, 1898.

Relative to R. Marshall.

No. 732.

U. S. CONSULATE GENERAL.

HABANA, January 5th, 1897.

Hon. William R. Day,

Assistant Secretary of State,

Washington.

Sir:

With reference to the Department's instruction number 509, of the 17th December last, transmitting a letter from J. Marshall, Esquire, of Spokane, Washington, in which he states that he is informed that his son R. Marshall enlisted in the Army of the Cuban insurgents in February last and asks for information concerning him, I have the honor to state that I have directed that inquiries be made regarding the said R. Marshall, and that up to the present nothing has been learned regarding his whereabouts.

I am, Sir, your obedient servant,

Fitzhugh Lee

Consul General.

Personal

Consulate General of the United States.

Habana, Jan 5th 1898

My dear Judge- I have duly rec'd the $5.00 you sent & same $50.00 more in small amounts from various factors of the U.S. Government sent any of said Amounts yet-

I have had my man out locating the destitute & arranging to begin tomorrow giving & distributing- Gen Lee handed me a list today of some 2000 children- & endorsed it- He has in great need About 8000 others are enrolled at one place & are dependent on private Charity- Lee is doing all possible for us in that way-

In days ago I sent Dr Lee Congrio to the Governor of the Province- & the subject of co-operation- the latter told me he opened me Wednesday- the latter told me would have the Autonomistic Cabinet as they had entire Charge of everything- now so I went into the ministers- I found four of them sitting around a table in a very solemn & dignified way- Galvez the President- a very old man of 65 or some such name- A Dr. & the minister of Education- another very old man- & Rodriguez- the Finance

of Post offices (Atkins) & the marquis
of Montoro - the minister of finances -
Gomez a clever man - the minister of the
Interior - has not yet arrived - Weis (a desgrado
Cuban - who left Cho Doland about the time the
war began & said he would not return until
Cuba was free. I am told - She may arrive tomorr.
unless he has gone to N.Y to wait from that city
because it is reported the fears hostile demon-
- strations at Tampa & Key west - She has been
living in Atlanta Georgia - There is still
existing which has not put in an appearance
Montoro is the ruling spirit - She is a Cuban
who I am informed was educated in Spain -
She talks English pretty well & was a Cuban
deputy to the Cortes in Madrid -
The Cabinet & peace me to Bresson the
Civil Governor of Habana - an excellent man
who positively & peremptorily refused to accept a Cabinet position -
I succeeded in getting from him a very fine
Sub committee of four upon their Committee
I placed my credentials - & I think
we will get an honest distribution here
in Habana - I shall closely supervise
their actions - I am afraid it is true that over
300 000 of the Cuban population of Cuba

has already died from starvation!
I do not think it is possible for the
Government here to do much for them at this time -
The ability is wanting - even if the desire exists.
I took dinner new years day with the Lieut
of the Volunteers here - a Colonel Blanco who
married the widow & daughter of Pierre Soulé
of Louisiana - Could you remember me
for a long time U. S. Senator from that State
& at the time Minister to Spain -
He said he had been an Autonomist formerly
was a great friend of Blanco - but could
see nothing but failure in the present
movement - His step Daughter told me
he had received many letters of similar
Command stating their desire to "disk
a faint Autonomy" but that he had orders
from Madrid to keep Quiet - The alcalde's or
mayors have all been changed - Weyler's having been
replaced by Autonomists - but in many instances
I am told these latter are insurrectos in
disguise - They have charge of the "census" as
they call it here or Registration of the voters.
& from the lists they prepare for their election the
voters name has to appear or he cannot vote -

Canalejas is still here & has been over most
of the Dolands. He is the Editor you know &
proprietor of the Herald in Madrid & was at one
time in the ministry - of the visits to his paper
as he has been talking here - his articles must
create a sensation. He said to a friend
of mine yesterday that it was folly for the
Spaniards to go to war with the Americans
the army here on the Dole and amounted to nothing
Organization - discipline - food - clothing - medicines
here are lacking & the soldiers who were still
bearing arms were weak - half sick & many
half starved &c. and could easily be defeated
by the Soldiers of the U.S.!

Must

COPY.

REMEDIOS, Dec. 29th, 1897.

General Fitzhugh Lee,

Habana.

Dear Sir:

At the risk of intruding unnecessarily, I venture to write again, because I believe it to be the duty of every American citizen in Cuba to give you any information that may aid you in your difficult task. Apart from this it seems to be the duty of every honest man in this Island, if relief is sent from the United States, to do all in his power to prevent its beingsnatched, as it surely will be, if great caution is not exercised, by a set of thieves, from the mouths of a wretched race that is dissappearing from the face ofthe earth, faster perhaps than any one imagines.

I am led to assume that you may need further information from the fact that the extent of depravity to which this country has been brought is inconceivable to any American who has not resided here long, and in the capital it is seen in all its nakedness although it exists to the same or a greater extent.

In my former letter I cited a case showing what the clergy are in Spain, and I will now cite another to show what regard there is in Cuba for the rights of the unfortunate. The case is historical and I resided several years in the section I refer to.

A number of years ago a large portion of the municipal territory of the Roque was innundated and hundreds of families were left homeless. A subscription was started throughout the Island, and over one hundred thou sand dollars were collected according to the lists published by the newspapers. Not one cent of this money ever reached those for whom it was subscribed.

It was stolen in the most barefaced manner and no account was ever rendered, or any investigation cabled for or made.

You may rest assured that if money is sent from the United States for this starving people and it is placed in the hands of the municipal authorities for distribution, as has been proposed, two thirds of it, at least, will be deliberately stolen. Where it falls into the hands of Cubans it will as a rule be worse, simply because they have more intelligence for fraud than the generality of Spaniards in this country.

You will be told that all this will be changed now as the municipalities are now to be in the hands of the "Autonomists". In reply to this I will say that this municipality has been in the hands of the "Autonomists" for many years, and I believe there is not one on the Island that can excell it for frauds. To show in what opinion the autonomist authorities are held here by those of their own country who have known them from the time they were born, I relate the following.

When the report spread here that aid was coming from the United States three ladies of the most worthy and repectable in the town, who have always lived in ease or affluence, but are now often absolutely without food, sent and begged me to call upon them - I did so - and all of them first asked if it were true that my country was going to send them relief. I told them that I did not doubt the report and they seem to feel as though new hope had come to them. The second inquiry was as to whether the consuls would make the distribution. When I told them that so far as I knew the municipal authorities would have charge of that, one said "Then we shall get nothing". Another said "Why it will all be stolen", and the last exclaimed "Then I give up all hope". A little girl, nine years old, asked one of my sisters the same question, and when answered she said "What give the money to Modesto Ruiz (the Alcalde), why he will keep it all". None of the persons I cite have ever been addicted to speaking evil, and even this child, whom I have known for years, is incapable of traducing any one.

It is to be supposed that they know their authorities better than we can possibly do.

Th show the effect here of the new autonomistic order of things I will cite but one example. There is a Cuban here named Larrinaga, a strong autonomist. He has for many years held the office of Alcalde de Barrio, which has no salary. During the three years I have been here I have heard him always spoken of as one living by abuse and extortion, and not one voice in his vaor. Nevertheless this is the man selected by the Autonomists, and he has been made chief of police with a salary of $100 per month. All the thieves are of course satisfied. As an example of what the autonomistvregime has been here in the past I will also cite one example. For years an item of over six thousand dollars was put in the municipal budget. The only public lights in the town were in the Plaza or public square, which are twenty. These are coal oil lamps, always turned as low as possible, and never lighted when there was any pretext of a moon. Properly lighted every night at 5 cents per night they would have cost yearly only $360 or $370. Nevertheless during all this time every house was obliged by a municipal order to hang out a lantern or be fined. After some years of this, public clamor was such that the appropiation was reduced from 6 thousand to 4 thousand dollars, but the abuse went on, I believe it is an admitted fact that wherever the Autonomists have obtained control of a municipality the abuses have been the most outrageous.

I think the only possible way to secure anything like a fair distribution of any aid sent from the United States is by obtaining a list in each town of a few of the most honorable cubans and naming them a commission, I say Cubans because I have heard Spaniards cursing the United states for attempting

to save the lives of this starving people.

I could give you a list of the most trustworthy Cubans of this town and might be able to get a reliable one of Caibarien, Placetas and Camajuani.

Yours very truly,

(Signed) James H.Dod.

La Mar 28.
Remedios.

Former Outrages Committed by the Volunteers of Habana

Don GONZALO CASTAÑON, editor of the VOZ DE CUBA, a radical Spanish conservative paper published at Habana throughout the last war, was insulted by a Key West insurgent paper in 1870 or 71. CASTAÑON went to Key West with some of his friends, for the alleged purpose of challenging the author of said insults, but in reality only to create a sensation there and return immediately to Habana by the same steamer and gain thereby the sympathies of the Volunteers here, who armed to the teeth at the time, controlled the city and paraded the streets, there being but very few regular Spanish troops to prevent their daily outrages against defenceless citizens here. CASTAÑON, upon his immediate arrival at Key West, met an old man named Reyes, supposed to be the editor of the paper which insulted him, and struck him down at Reyes' room, in a Key West hotel, whereupon, on his leaving the room, he was shot and killed by a Cuban named Orosco. Castañon's remains were brought to Habana and here, amidst the indignation and hostile demonstrations of the Volunteers against the Cubans non-combattants, was buried.

Some time afterwards, about the 25th November 1871, some medical students were playing at the Habana cemetery waiting for their professor, when a lad 15 years of age, named ALONSO ALVARREZ DE LA CAMPA, happened to play with the cart of the cemetery and ran over, or slightly disturbed in some way the surroundings of Castañon's tomb. The priest denounced the event to the authorities and the Civil Governor of Habana, LOPEZ ROBERTS, appeared at the cemetery with a guard of Volunteers, and there in harsh tones demanded the name of the culprit, of the "criminal" as he styled him, who had dared to profane the remains of the "martyr" and patriot Don Gonzalo Castañon. As none of them ~~of them~~ had committed any offence, much less any crime, no answer was given to LOPEZ ROBERTS (brother of the then Spanish Minister at Washington); whereupon LOPEZ ROBERTS full of indignation threatened to

punish severely all those present at the cemetery, at the time the alleged event took place. The students all remained silent, and they were then tied and handcuffed in the regular Spanish style and taken through the streets of Habana, surrounded by Volunteers, amidst the hisses and insults of the mob, to the jail, where they were confined. LOPEZ ROBERTS immediately, without ascertaining any further, and based solely on hearsay, repaired to the Palace to relate the circumstances to the then General Segund Cabo (General Second in Command) CRESPO (the Count of VALMASEDA, then Captain General, being absent carrying a most cruel war against the insurgents in the Eastern provinces). Several Commissions from the different Volunteers battallions appeared at the Palace supporting LOPEZ ROBERTS and requesting General CRESPO to order the execution (fusilamiento) of the students under arrest after a summary court martial, and to send a war vessel to the Isla of Pines to bring to Habana all persons deported there on suspicion of being sympathysers of the rebellion, and to submit them likewise to a court martial. CRESPO, it seems, tried to avoid this, but being a weak man, and not counting with regular troops to support him, finally, (as he afterwards said in Spain) to calm the indignation of the Volunteers agreed to order the court martial, which was composed mostly of officers of Volunteers. The mob and the Volunteers then repaired to the jail and there at night held a mockery trial and sentenced eight of the students to be shot. The court martial sentenced them on the morning of the next day, November 27th, 1871, and on the afternoon at 4 o'clock they were shot at La Punta, opposite the jail.

During the trial and in fact throughout this period of agitation all sorts of atrocities were committed, persons were murdered in the streets on suspicion by the Volunteers, and LOPEZ ROBERTS himself, the author of all this, was grossly insulted by the Volunteers who thought that he was "backing out".

Some Spanish officers who appeared at the jail were also roughly treated by the Volunteers ,specially the advocate of the students Don FEBERICO R.y CAPDEVILA,an officer of the Army who defended them. After the execution, the Volunteers paraded the street, and towards night all was at rest. Among the students shot was a young man named Carlos de la Torre,who was not even in Habana at the time of the affair at the cemetery -/he had returned from Matanzas shortly afterwards,/but as he belonged to the same class, he was locked up and followed his companions' fate. 44 students were arrested - 8 shot, and the remaining sentenced to several years imprisoned (some of them), and others deported. Among those who served their time in the Habana penitentiary or State prison,was Fermin Valdes Dominguez,a well known chief of General Gomez' Army,at present.

Many other instances could be mentioned of riots,disturbances and outrages committed by the Volunteers: General Dulce's expulsion from the Island. The shooting of a man in the streets because he wore a blue necktie. The raid on the Casa de Aldama (one of the best houses in Habana belonging to Don Miguel Aldama,a Cuban patriot then abroad). The riot created by the Volunteers in the Villanueva theatre. The firing into the Louvre café. And several others,all ending in the death of peaceful,defenceless people.

Dec. 15 1897-

File.

No. 740.

INDEX BUREAU
REC'D.
JAN 11 1898
DEPT. OF STATE

ASSISTANT SECRETARY
DEPARTMENT OF STATE.
DEPT. OF STATE
JAN 1, 12 5 PM 1898
DIP. BKS. OFFICE
ANSWERED

U. S. CONSULATE GENERAL.

HABANA, January 7th, 1898.

Mr. LEE

TO THE

DEPARTMENT OF STATE

Confirming a cypher telegram.

No. 740.

U. S. CONSULATE GENERAL.

HABANA, January 7th, 1898.

Hon .William R.Day,

Assistant Secretary of State,

Washington.

Sir:

I have the honor to confirm the following cypher telegram:

"Habana, January 5th.

"Assistant Secretary of State,

"Washington.

"It is not true that the Government here is giving "the equivalent in money in lieu of rations in kind, as "stated in the note of the Spanish Minister to you of "December twenty fourth.

(Signed) Lee".

I am, Sir, your obedient servant,

Fitzhugh Lee

Consul General.

No. 741.

DEPT. OF STATE
JAN 11, 1 08 PM 1898
CHF. CLKS. OFFICE
ANSWERED

INDEX BUREAU
REC'D.
JAN 11 1898
DEPT. OF STATE

U. S. CONSULATE GENERAL.

HABANA, Jan. 8th, 1898.

Mr. LEE

TO THE

DEPARTMENT OF STATE

Relative to the Sanitary Inspection at this Port.

No. 741.

U. S. CONSULATE GENERAL.

HABANA, January 8th, 1898.

Hon. William R. Day,

Assistant Secretary of State,
Washington.

Sir:

I have the honor to report that there is much complaint, comment and criticism on the part of Americans visiting this city in regard to certain regulations of sanitary inspection of the Marine Hospital Service. Gentlemen who arrive by the steamers from the United States are required to be vaccinated, unless good marks of a former recent vaccination is seen, 5 days before they are allowed to return, and in case said vaccination does not take, they must submit to another vaccination and wait for five days more before sailing. In some cases they have return tickets expecting to go back in 3 days - that being the interval of the departure of the Tampa steamers. They know nothing of these regulations and their business and domestic arrangements are based upon a return fixed before their departure. It so happens, too, that very often after getting here, - immersed in the objects which brought them - they do not know the requirements exacted, until a day or two before they intend to leave and then upon asking what it is necessary to do to get away - they are informed that they have to remain 5, and possibly 10 days longer - often injurious to their business and to their pockets. I heard to-day of a gentleman who had received a telegraphic despatch that his wife was dying, but could not get away under the regulations - and know of many other cases whose affairs in the United States demanded their prompt return.

Nearly all the persons who come here in the winter months by the steamers are gentlemen of means and of cleanly habits,

U. S. CONSULATE GENERAL.

HABANA,

and there is no more danger of their carrying small pox away with them than of the Cuban war terminating in the next ten days.

While I recognize the vast importance of the observation of ~~the~~ sanitary rules, I respectfully submit that the sanitary inspector should sometimes use in urgent cases his judgement.

I therefore have to suggest in addition, that persons purchasing return tickets should be notified by the transportation agents of the existence of such quarantine regulations and that the sanitary inspector here be required to keep posted in a conspicous place in his office the requirements to be observed by all persons before they can get away from their city, for as all of this class of persons come to the Consulate office, they must necessarily pass the office of the sanitary inspector - will see said notice, and not be able to plead ignorance of such provisions. *Such notice should also be hung up in the Steamers*

I respectfully request that this communication be referred to Surgeon General Wyman for his attention and consideration.

He can and will, I am sure, have such changes made in the details of the administration of the office here as will be necessary.

There is always some small pox in all large cities, I am told, and therefore it would seem that gentlemen coming from such cities in the United States might bring to us here as much of that disease, as they would carry away at this period of the year from Habana.

I am, Sir, your obedient servant,

Fitzhugh Lee

Consul General.

No. 742.

DEPT. OF STATE
JAN 11, 1.05 PM 1898
CHF. CLKS. OFFICE
ANSWERED

INDEX BUREAU
REC'D.
JAN 11 1898
DEPT. OF STATE

U. S. CONSULATE GENERAL,

HABANA, January 8,1898.

Mr. LEE

Cashed by Jarvis Jany. 14, 1898.

TO THE

DEPARTMENT OF STATE

COPIES MADE.
COPIED FOR CONGRESS.

Cuban affairs.

Coby to Post-

ask file

No. 742.

ASSISTANT SECRETARY
JAN 12 1898
DEPARTMENT OF STATE.

U. S. CONSULATE GENERAL.

HABANA, January 8th, 1898.

Hon. William R. Day,

Assistant Secretary of State,

Washington.

Sir:

I have the honor to state, as a matter of public interest, that the "reconcentrado order" of General Weyler, formerly Governor General of this Island, transformed about 400.000 self supporting people, principally women and children, into a multitude, to be sustained by the contributions of others, or die of starvation, or of fevers, resulting from a low physical condition, and being massed in large bodies, without change of clothing and without food.

Their houses were burned, their fields and plant beds destroyed, and their live stock driven away or killed.

I estimate that probably 200.000 of the rural population in the provinces of Pinar del Rio, Habana, Matanzas and Santa Clara have died of starvation or from resultant causes, and the deaths of whole families almost simultaneously, or within a few days of each other, and of mothers praying for their children to be relieved of their horrible sufferings by death, are not the least of the many pitiable scenes which were ever present. In the provinces of Puerto Principe and Santiago de Cuba, where the "reconcentrado order" could not be enforced, the great mass of the people are self sustaining. The Spanish authorities should have looked squarely in the face these conditions, and not have denied their existence. They should have asked for contributions from the outside world to assist them on the common ground of humanity, but should not have published that their Government could take care of and fully supply nourishment

No. 742.

U. S. CONSULATE GENERAL.

HABANA,

ment to so large numbers, because their Government, it is well known, has not the ability to do so. I am aware that this matter has been many times brought to the attention of the Department, but my present object is to bring before if for due consideration the colossal task the public of the United States have been asked to perform.

A daily average of 10 cents worth of food to 200.000 people would be an expenditure of $20.000 per day, and of course the most humane efforts upon the part of our citizens cannot hope to accomplish such a gigantic relief, and a great portion of these people will have to be abandoned to their fate. It is, therefore, proper to contemplate how long will the public of the United States be obliged to labor to provide succor for these unfortunate and innocent victims of the Cuban war, for when the attempt, even for partial relief, is once commenced, it cannot be abandoned. The duration, then of this unofficial charity must depend upon the duration of the war, and the duration of the war, as at present waged by the contending parties, must be referred to an undetermined period.

Peace, and Peace alone, can nourish the living, cure the sick, cover the naked, protect the unprotected, give homes once more to the homeless, bring relief to the Island, and to the purses of the charitable people of our own country.

I am, Sir, your obedient servant,

Fitzhugh Lee

Consul General.

Consulate General of the United States.

Habana, Jan 8. 1898

My dear Judge

The mail this morning brought me $225.00. which added to $63.00 drawer leaves $288.00 for the Reconcentrado Relief fund in addition to the 3000 you sent. I am working in conjunction with the local boards here — Gab a dispatch about the milk - 168 cases - (where two more) but have received no notice of any other boxes coming —

Yo very truly Fitzhugh Lee

Let to Judge Day

Jan 8.

INDEX BUREAU
REC'D.
JAN 10 1898
DEPT. OF STATE

comfd Jan 11

Habana, Cuba
January 8. 1898.
7. Cartagena
Jan 13

No. 3.

CABLE MESSAGE.

THE WESTERN UNION TELEGRAPH COMPANY.

INCORPORATED

All CABLE MESSAGES received for transmission must be written on the Message Blanks provided by this Company for that purpose, under and subject to conditions printed thereon, and on the back hereof, which conditions have been agreed to by the sender of the following message.

THOS. T. ECKERT, President and General Manager.

TWO AMERICAN CABLES FROM NEW YORK TO GREAT BRITAIN.
CONNECTS ALSO WITH FIVE ANGLO-AMERICAN AND ONE DIRECT U. S. ATLANTIC CABLES.
DIRECT CABLE COMMUNICATION WITH GERMANY AND FRANCE.
CABLE CONNECTION WITH CUBA, WEST INDIES, MEXICO AND CENTRAL AND SOUTH AMERICA.
MESSAGES SENT TO, AND RECEIVED FROM, ALL PARTS OF THE WORLD.

OFFICES IN AMERICA:
All Offices (21,000) of the Western Union Telegraph Company and its Connections.

OFFICES IN GREAT BRITAIN:
LONDON:
No. 21 Royal Exchange, E. C.
No. 109 Fenchurch Street, E. C.
LIVERPOOL: No. 8 Rumford Street.
GLASGOW: No. 29 Gordon St. and No. 4 Waterloo St.
BRISTOL: Backhall Chambers.

NUMBER	SENT BY	REC'D BY	NO. OF WORDS.	FROM
7	a wz	19	2 S	Govt Havana

RECEIVED at Washn DC Jan 8 1898

asst Secy State Washn (DC)
Send madrigals Passport and other documents to Cartagena he leaves for that station today
Lee

3rd. Asst. SECRETARY
JAN 8 1898

(Copy)

Consulate-General of the United States,
Habana, Cuba, Jan. 8, 1898.

Personal.

My Dear Judge:

Everything about as usual. Autonomy "is not cutting any ice". Excuse the slang. Somebody taught it to me. I talked with a rabid, violent (at one time) Spaniard last night, a Colonel of volunteers. He said he "tried to be a Reformist at first" and then told the Palace people he "would try and be an Autonomist". What next, I asked. "Yankee", he replied.

He told me, and it corroborated what I had heard from others, that if the Cubans abstain from voting for members of the "Insular Chambers", as they will I am informed, the Spanish Conservatives (Or Weylerites &c) will all turn out and capture the elections. If they see they cannot do that, they will refuse to have anything to do with it. The election was to take place 1st February. Congosto told me. Now I hear it is postponed until April!

Yours very truly,
Fitzhugh Lee.

P.S. I have received some $60 in small sums so far from various persons in the United States, in addition to the $5,000 you sent.
F.L.

Confirm and file

Duff.

2 wu

TELEGRAM RECEIVED.

29 Govt

INDEX BUREAU
REC'D.
JAN 10 1898
DEPT. OF STATE

From Havana

Jany 10, 1898.

Assistant Secretary State,

Received 3 PM.

Washington, D.C.

Confirmed January 17/98.

22301 Sagua 52415 29962 52955

43142 47411 11954 34527 33437

22318 26607 12792 41798 33789

52955 13957 50835 34527

Santa Clara 45293

Lee

Consul of the United States at Sagua telegraphs fifty thousand persons require aid in his Consular district and one hundred thousand are starving in Santa Clara Province

Lee

3 COPIED.

No. 743.

File

DEPT. OF STATE
JAN 15,1 08 PM 1898
CHF. CLKS. OFFICE
RECEIVED

U. S. CONSULATE GENERAL.

INDEX BUREAU REC'D. JAN 17 '98 DEPT. OF STATE

HABANA, January 12th, 1898.

Mr. LEE

TO THE

DEPARTMENT OF STATE

Confirming telegrams.

No. 743.

U. S. CONSULATE GENERAL.

HABANA, January 12th, 1898.

Hon. William R. Day,

Assistant Secretary of State,

Washington.

Sir:

I beg to acknowledge receipt of the following telegrams to me, dated, respectively, the 7th and the 11th instant, the instructions contained therein having beem complied with:

(1)

"You are authorized to draw for $5000 in reply to "your number 736.

(Signed) Day".

(2)

"Wire Central Cuban Relief Committee Temple Court, "New York city, what articles are most urgently needed"

(Signed) Day".

I have also to confirm the following telegrams to you, dated, respectively, the 8th and 10th instant, the latter being in cypher:

(1)

Send Madrigal's passport and other documents to Car- "tagena. He leaves for that station to-day"

(Signed) Lee".

(2)

"Consul Sagua telegraphs 50.000 persons require aid "in his consular district and 100.000 are starving in "Santa Clara province.

(Signed) Lee".

I am, Sir, your obedient servant,

Fitzhugh Lee

Consul General.

Personal

Consulate General of the United States.

Habana, Jan 12th 1898

My dear Sturgis

"La Lucha" yesterday published a telegram from N. Y stating there was a current rumor there, that I had advised my Govern't that Autonomy was a failure. I recollect in a "Confidential" official communication of Dec 13th 1897. I think it "confidential" to avoid embarrassing the apparent efforts of the authorities here to put said autonomy into practice.

The German Consul General informed me last night that two more of his Govern't ships were coming here - one on the 25th & one on the 27th. It occurred to me that if one or two Nav. ships were coming about - visiting for civilities - & should ger ashore & crowd, & the Cond.

744

ASSISTANT SECRETARY

Officer commanding here about that time after it, or enter, the Legation & send some dispatches the Navy Department - or in any other way - it might be a good thing - I am sure the majority - great majority of all classes here would welcome the event with great pleasure & feel better satisfied that life & property would be protected in this City - However I make no request for a ship - or ships - but mention the matter simply for consideration in connection with pertinent subjects.

There has been some & is now considerable money - mostly Spanish Officers have attempted to destroy all remaining documentary testimony - We finally desire to all quiet now -

Yours very truly Fitzhugh Lee

744

No. 744.

U. S. CONSULATE GENERAL.

ASSISTANT SECRETARY JAN 18 1898 DEPARTMENT OF STATE.

INDEX BUREAU REC'D. JAN 18 '98 DEPT. OF STATE

HABANA, January 13th, 1898.

Rec'd. by Journ Jany. 20. 1898.

Mr. LEE

TO THE

DEPARTMENT OF STATE

Enclosing an editorial from the DIARIO DE LA MARINA.

COPIES MADE. COPIED FOR CONGRESS.

DEPT. OF STATE
JAN 18,9 32 AM 1898
CHF. CLKS. OFFICE
RECEIVED

No. 744.

INDEX BUREAU
REC'D.
JAN 18 '98
DEPT. OF STATE

U. S. CONSULATE GENERAL.

HABANA, January 13th, 1898.

Hon. William R. Day,

Assistant Secretary of State,

Washington.

Sir:

I have the honor to enclose a translation of an editorial published in the DIARIO DE LA MARINA of to-day.

I am, Sir, your obedient servant,

Fitzhugh Lee

Consul General.

1 Enclosure: Translation of editorial referred to.

TRANSLATION.

From the DIARIO DE LA MARINA, of Habana, January 13, 1898.

PERDÓNALOS, SEÑOR ..... (Forgive them for they do not know what they are doing).

They came against the DIARIO.

They cried out against it.

They stoned it.

And the separatists looked on with joy.

And the laborantes (abettors of the rebellion), of all well known, could not restrain their rejoicing.

It was natural: what a great victory for them?

What was not accomplished by Maceo, nor Quintin Banderas, nor Maximo Gomez, was accomplished yesterday by an unconscious mob: carrying disorder, carrying riot, carrying anarchy into the heart of Habana.

And the foreign consuls witnessed the shameful spectacle from the balconies of the hotel Inglaterra!

What shame!

Down with the DIARIO DE LA MARINA! Death to the DIARIO DE LA MARINA! And Maximo Gomez, alive! And Calixto Garcia, alive! And the assassins of the martyr Ruiz, also alive!

Poor Spain!

What a difference between yesterday and to-day! Yesterday your sons, liberals and reactionaries, fell in the streets of Madrid, fighting together the common enemy, against the oppressors of Europe, against the invincible hosts of the great Napoleon. To-day the bravery and the patriotism and the heroism consist in shouting, in outraging and in knifing, if possible, defenceless journalists, against whom the action of the laws of the State and in the last extreme, the laws of honor, are sufficient in any civilized country!

But what pains us the most is not this; what our heart laments at present is not the sentiment of the honorable

profession outgaged,no. It is the spanish sentiment; it is the patriotism which boils in our veins with more heat; with a hundred times more enthusiasm than ih that of those .... braves, that in a mob and in an anonimous manner have pretended to offend us,without understanding ,unfortunates!, that what they have trampled on,that what they have dragged through the mud has been the majesty of the law,the principle of authority and the honor of the country.

What will say the representatives of foreign powers who witnessed the shameful spectacle of yesterday? What effect will this great scandal cause in the United States, where they watch our discords,where they await our errors, where they count on our folly to take possession of the apple which they have been waiting for one hundred years to ripe and thereby fall in ~~our~~ their hands?

This,this is what pains us; this ,this is what shames us; this,this is what frightens us,and not the personal danger which we may risk; if with our blood,and with the sacrifice of our lives we could avoid the consequences that for our beloved country we foresee and feel as a fatal result of the sad spectacle which happened in the streets of Habana yesterday,the shedding of our blood and the sacrifice of our blood, we would consider as well employed.

"-This is the greatest victory which up to the present has been gained for the independence of Cuba by Maximo Gomez"- was said to us by an invalid chief of the army,a veteran in the past insurrection and of the African war,who came to the DIARIO DE LA MARINA ,as soon as he received notice of the uprising.

Yes,a victory for Maximo Gomez and a day of rejoicing for the enemies of Spain: this is what signifies before all, and above all, the seditious tumult of yesterday.

------o----------

No. 745.

U. S. CONSULATE GENERAL.

INDEX BUREAU
REC'D.
JAN 18 '98
DEPT. OF STATE

HABANA, January 13th, 1898.

Mr. LEE

Rec'd. Jany 21.
Dec Ludge Desp
direction in No. 274
from Legation La Granada

TO THE

DEPARTMENT OF STATE

Forwarding Mr. Barker's despatch 274.

No. 745.

U. S. CONSULATE GENERAL.

HABANA, January 13th, 1898.

Hon. William R. Day,

Assistant Secretary of State,

Washington.

Sir:

In forwarding Mr. Barker's despatch number 274, I have the honor to state that he has received on account of the Cuban relief fund a total of $5.898.93, up to January 1st, 1898, and since that date $900,- both amounts are in Spanish gold.

I am, Sir, your obedient servant,

Fitzhugh Lee

Consul General.

ASSISTANT SECRETARY
JAN 20 1898
No. 746.
DEPARTMENT OF STATE.

INDEX BUREAU
REC'D.
JAN 18 '98
DEPT. OF STATE

U. S. CONSULATE GENERAL.

HABANA, January 13th, 1898.

Mr. LEE

TO THE

DEPARTMENT OF STATE

Mortality in Santa Clara.

2 COPIES MADE:
COPIED FOR CONGRESS.

Statistics of Death Rate in Santa Clara.

(a town of 14000 inhabitants).

1890	578	
1891	720	
1892	596	
1893	619	
1894	687	
1895	872	
1896	1417	Epidemic of yellow among fever
	---------	army and cubans.
	5489.	
1897	6981	No epidemic.

(1492 more than in seven previous years.

Concentration order in Febeuary.

1897.

Monthly Death Rate.

January	78
February (concentration)	114
March	533
April	524
May	539
June	531
July	855
Carried over	2774

forward over	2.774
August	845
September	850
October	884
November	1037
December	1011
Total	6.981.

Sample month December 1897.

	No of Death	No of patients
Civil Hospital	145	170
Military do	25	700
San Lazarus do	2	10
Burried in poor carts	228	
do by family	553	
Prison	2	
	951.	

No. 746.

U. S. CONSULATE GENERAL.

HABANA, January 13th, 1898.

Hon. William R. Day,

Assistant Secretary of State,

Washington.

Sir:

I have the honor to transmit herewith some statistics sent me about the mortality in the town of Santa Clara, the capital of Santa Clara province, situated about 33 miles South of Sagua, which numbers some 14.000 inhabitants. It will be noticed that they were 5489 deaths in that town in the seven years previous to 1897, which included 1417 in one year, from an epidemic of yellow fever, while in 1897, owing to the concentration order there were 6981, the concentration order went into effect in February, 189 that year, 1897, the month's death rate for January was 78, but in February, the first month of reconcentration, there were 114 and there has been a gradual increase since, as you will see, until in December, 1897, the number of deaths was 1011. I refer to this as a specimen of the mortality on this Island, in consequence of the "reconcentrado order" of the late Captain and Governor General Weyler.

I am, Sir, your obedient servant,

Fitzhugh Lee

Consul General.

Enclosure: Statistics referred to.

TELEGRAM RECEIVED IN CIPHER.

From Havana, January 15, 1898.

Assistant Secretary State,

Washington,

After day and night of excitement all business suspended and rioting; everything quiet at this hour; ~~and~~ city heavily guarded; soldiers protect public squares and threatened points. Mobs shouted yesterday "death to Blanco" and "death to autonomy" while "viva Weyler" was frequently heard. Contest between Spanish factions, attention has not yet been directed to other issues. Heard once yesterday of a few rioters a proposal to march to our Consulate. Presence ships may be necessary later but not now.

Lee.

C.C.

TELEGRAM RECEIVED IN CIPHER.

From Havana, Jan. 15, 1898.

Assistant Secretary State,

Washington,

Three newspaper offfices not four as previously cabled were attacked by Spanish officers and mobs. I saw ssault two. I saw soldiers sent to protect them frat- ith mobs. Two attacks were attempted to-day. I am ops massed inside of palace to protect Governor Gen- t "death to autonomy", "death to Captain General Uncertainty exists whether Captain General can con- situation. If demonstrated he cannot maintain order e life and keep the peace or if Americans and their s are in danger, ships must be sent and to that end be prepared to move promptly. Excitement and uncer- ainty predominate everywhere.

Lee.

C.C.

Consular Bureau.

U.S. Consulate General

Habana, 14 January 1898.

INDEX BUREAU
REC'D.
JAN 15 '98
DEPT. OF STATE

To Treasury Dept. Please.

copy to Treas. Dept. Jany 15, 1898

Confirmed Jany 16, 1898

Form No. 1516.

CABLE MESSAGE.

THE WESTERN UNION TELEGRAPH COMPANY.

All CABLE MESSAGES received for transmission must be written on the Message Blanks provided by this Company for that purpose, under and subject to the conditions printed thereon, and on the back hereof, which conditions have been agreed to by the sender of the following message.

THOS. T. ECKERT, General Manager. NORVIN GREEN, President.

TWO AMERICAN CABLES FROM NEW YORK TO GREAT BRITAIN.
CONNECTS ALSO WITH FOUR ANGLO-AMERICAN AND ONE DIRECT U. S. ATLANTIC CABLES.
DIRECT CABLE COMMUNICATION WITH GERMANY AND FRANCE.
CABLE CONNECTION WITH CUBA, WEST INDIES, MEXICO AND CENTRAL AND SOUTH AMERICA.
MESSAGES SENT TO, AND RECEIVED FROM, ALL PARTS OF THE WORLD.

OFFICES IN AMERICA:

All Offices (21,000) of the Western Union Telegraph Company and its Connections.

OFFICES IN GREAT BRITAIN:

LONDON: No. 21 Royal Exchange, E. C. No. 109 Fenchurch Street, E. C.
LIVERPOOL: 45 Exchange Buildings.
GLASGOW: No. 29 Gordon Street.
BRISTOL: Backhall Chambers.

43Z G PR 25 GVT 25 wds

RECEIVED at 532 PM. Washington D.C. Jan 14/98. 189

Havana, Jan 14

-Third Assistant Secretary State, Washington.

Shipments filler tobacco as per instruction five hundred eighteen today 448 bales KeyWest 20 Tampa 2720 NewYork.

Lee.

3rd. ASST. SECRETARY. JAN 15 1898
2d. ASST. SECRETARY. JAN 15 1898

Confirmed Jan. 17/98.

TELEGRAM RECEIVED IN CIPHER.

INDEX BUREAU
REC'D.
APR 16 '98
DEPT. OF STATE

ASSISTANT SECRETARY
JAN 15 1898
DEPARTMENT OF STATE.

From Havana, Jan. 14, 1898.

Received 1:55 A.M.

Assistant Secretary State,

Washington,

Disorders last night and again this morning. Crowds shouting as heretofore "death to autonomy" and "Governor General". Apprehend nothing very serious yet. Few casulties.

Lee.

C.C.

confirmed Jan. 17/98

3 Me

10 Gr

DEPT. OF STATE
JAN 14, 3.41 PM 1898
CHF. CLKS. OFFICE
RECEIVED

TELEGRAM RECEIVED.

INDEX BUREAU
REC'D.
APR 16 '98
DEPT. OF STATE

From Havana

Jan'y 14, 1898.

Received 3.30 P.M.

Assistant Secretary State,

Washington.

ASSISTANT SECRETARY
JAN 15 1898
DEPARTMENT OF STATE

Noon - all quiet

Lee

all

Consulate General of the United States

Habana, Jan 15 1898

My dear Judge.

I do not advise any action by U. S. now - or pending results here as matters are at present - because if attempts it would be unwise to divert the Spanish attentions to each other - to other issues. The members of Planas & the conflict that U. S. intervention for peace is the only resort left - are growing stronger day by day - so - it is best - in my opinion - to let matters progress in that direction rather than for the U. S. to precipitate upon Congress at once on this question - and perhaps may bring trouble & perhaps bloodshed. the other may decide the same & such - by peaceful paths. I do not think there is any more than the ordinary danger to American life here now. Indeed not as much as formerly because public opinion among the Spaniards has changed to such a great extent -

I also think that if it should be necessary to send war vessels there - there should be such a show of force as to give more effect to any [illegible] attempt that might be made to assault them - One or even two vessels might be ordered out of the harbor - possibly there are enough in the fort & batteries around to do them some damage if they do not - But I think a little time will simplify all such questions - I am in great haste, for as you can imagine - I have many demands upon my time - Yours very truly

Hiram Bingham

Hon Wm R. Day
State Dept.
Wash - D. C.

DEPT. OF STATE
JAN 28 9 22 AM 1898
CHF. CLKS. OFFICE
RECEIVED

No. 747.

File

U. S. CONSULATE GENERAL.

INDEX BUREAU
REC'D
JAN 20 '98
DEPT. OF STATE

HABANA, Jan.15th,1898.

Mr. LEE

TO THE

DEPARTMENT OF STATE

2 COPIES MADE.
COPIED FOR CONGRESS.

Confirming telegrams.

No. 747.

U. S. CONSULATE GENERAL.

HABANA, January 15th, 1898.

Hon. William R. Day,

Assistant Secretary of State,

Washington.

Sir:

I have the honor to confirm the following cypher telegrams to you:-

(1) Habana, Jany. 12.

"Mobs led by Spanish officers attacked to-day the "offices of the four newspapers here advocating Autonomy. "Rioting at this hour one p.m. continues.

Lee".

(2) Habana, Jan. 12.

"Much excitement, which may develop into serious dis- "turbances. The trouble commenced by those who oppose "Autonomy and so far is directed against those who advo- "cate it. No rioting at present, but rumors of it are "abundant. Palace heavily guarded. Consulate also pro- "tected by armed men.

Lee".

(3) Habana, Jan. 13.

"After a day and night of excitement, all business "suspended, and rioting, everything quiet at this hour. "City heavily guarded. Soldiers protect public squares and "threatened points. Mobs shouted yesterday: death to "Blanco, and death to Autonomy!, while Viva Weyler! was "frequently heard. Contest between Spanish factions. "Attention has not yet been directed to other issues. "Heard once yesterday of a few rioters shouting a proposal "to march to our Consulate. Presence ships may be neces- "sary later, but not now.

Lee".

(4) Habana, Jan. 13.

"Three newspaper offices, not four as previously ~~xxx~~ "~~xxxxx~~ cabled, were attacked yesterday by Spanish officers "and mob. Saw mob assault two,- saw soldiers sent to pro- "tect them, fraternizing with mob, two attacks were attempt- "ed to-day. I am told troops massed inside of Palace to "protect Governor general shout death to Autonomy! - "death to Blanco! Uncertainty exists whether Blanco can "control the situation. If demonstrated he cannot maintain "order, preserve life, and keep the peace, or if Americans, "and their interests are in danger, ships must be sent, and

"to that end should be prepared to move promptly. Excite-
"ment and uncertainty predominate everywhere.
Lee."

(5)

Habana, Jan.14.
"Disorders last night and again this morning. Crowds
"shouting as heretofore death to Blanco! and Autonomy!
"Apprehend nothing very serious yet. Few casualties.
Lee".

(6) (Not in cyhper) Habana, Jan.14
"Noon all quiet.
Lee".

(7) (Not in cyhper) Habana, Jan.14
"Shipments filler tobacco as per instruction five
"hundred eighteen to-day 448 bales Key West, 20 Tampa,
"2720 New York.
Lee".

(8) Habana, Jan.14.
"Most credibly informed Blanco admits impossibility
"of Autonomy, has no confidence in his troops, and cannot,
"and will not, punish rioting officers for fear of conse-
"quence. Has released officers who were arrested. Higher
"order Spaniards say annexation only remedy. With failure
"of Autonomy demonstrated, and a return to former methods
"not possible, all classes may unite to bring peace, to that
"end rioting may continue for a while to try and drive
"Blanco from Island. Advise no action by United States, un-
"til matters progress farther.
Lee".

(9) Habana, Jan.15.
"Quiet prevails.
"Lee."

I have also the honor to acknowledge the receipt of the following cypher telegram received yesterday from you:

Washington, Jan.14.

"Lee, Consul General, Habana.
"Keep in frequent communication with our naval
"commanders at Key West as to situation - they are ins-
"tructed that if communication with you is cut off to
"assume that you need help and proceed to Havana. Com-
"municate here also and frequently.
Day".

I am, Sir, your obedient servant,

Fitzhugh Lee

Consul General.

AL. UNITED STATES CONSULATE GENERAL

HABANA, CUBA Jan. 15th, 189 8

Hon. William R. Day,

Assistant Secretary of State,

Washington.

My dear Sir:

In continuation of what I have said to you in a personal note this morning, which went off by the Tampa steamer, I now write by the New York steamer sailing this afternoon to enclose a letter from the Consul at Matanzas to me. You will see that he states that similar conditions exist at Matanzas. Indeed, my information is that the views heretofore expressed are prevalent over the whole Island. I have underscored with a blue pencil in Mr. Brice's letter the part of it referred to. If the late troubles demonstrated anything, they show the failure of Autonomy.

I understand that general Blanco and Dr. Congosto have sent some foolish telegrams to the New York Herald (saying there was nothing political in what has happened - but what do the Spanish dead to autonomy?) I have not seen them because to-day all news papers from the United States are prohibited, being taken from the Post Office until a copy of each is sent to the Palace and ascertain if there is anything objectionable against Spain or the Spanish authorities.

I have written Blanco requesting that the postmaster be required to deliver up the private newspapers to which I subscribe.

I am, dear Sir, very truly yours,

Fitzhugh Lee

CONSULATE OF THE UNITED STATES
OF AMERICA.

Gen. Fitzhugh Lee
U.S. Consul Gen. Habana

Dear Sir.

The re-
ports of Habana riots
is best since to a cer-
tain extent. Notice
was sent this Consulate
from Police headquarters
yesterday to look out
for trouble and to notify
them if molested. My
reply was. "American Consuls
are under protection of
Spanish government and
if needed should expect
it." I do not expect any
trouble at present time.
However the fact remains
that Spanish & Conservative

element absolutely of business
and very active in making
trouble for Zaguirta and
Blanco. Declining responsi-
ble plans now are to
use every means possible
to force the U.S. to
intervene — It is plainly
said here, that Blanco
will be forced to re-
sign within 60 days.
I learn that our civil
Governor is to be re-
moved in the near
future. His opponents
are very weak.
Will write you further
as to future events
I am Sir
Yours Truly
A. E. Bro
U.S. Consul
Matanzas
Jan 14/97

From Lee to Judge [illegible]

Jan. 15'

n No. 1516.

CABLE MESSAGE.

THE WESTERN UNION TELEGRAPH COMPANY.

INCORPORATED

COPIED

EX BUREAU DEPARTMENT OF STATE JAN 7 '98

CABLE MESSAGES received for transmission must be written on the Message Blanks provided by this Company for that purpose, under and subject to conditions printed thereon, and on the back hereof, which conditions have been agreed to by the sender of the following message.

THOS. T. ECKERT, President and General Manager.

TWO AMERICAN CABLES FROM NEW YORK TO GREAT BRITAIN.
NNECTS ALSO WITH FIVE ANGLO-AMERICAN AND ONE DIRECT U. S. ATLANTIC CABLES.
DIRECT CABLE COMMUNICATION WITH GERMANY AND FRANCE.
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OFFICES IN AMERICA:

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OFFICES IN GREAT BRITAIN:

DN:
No. 21 Royal Exchange, E. C.
No. 109 Fenchurch Street, E. C.

LIVERPOOL: No. 8 Rumford Street.
GLASGOW: No. 29 Gordon St. and No. 4 Waterloo St.
BRISTOL: Backhall Chambers.

No Nap Pr Govt 12

CEIVED at 7.13 Pm Washn Dc Jan 16 1898

Havana Jany 16- Rix Pur Assistant Secretary State Washington D.C.

All quiet

Lee

COPIED.

TERMS AND CONDITIONS.

To guard against mistakes on the lines of this Company, the sender of every message should order it repeated ; that is, telegraphed back from the terminus of said lines to the Originating Office. For such repeating, the sender will be charged in addition, one-half the usual tolls of this Company on that portion of its lines over which such message passes.

This Company will not assume any responsibility in respect to any Message beyond the terminus of its own lines; and it is agreed between the sender of the following Message and this Company, that said Company shall not be liable for mistakes or delays in transmission or delivery, or for non-delivery to the next connecting Telegraph Company, of any unrepeated message, beyond the amount of that portion of the charge which may or shall accrue to this Company out of the amount received from the sender for this, and the other companies, by whose lines such message may pass to reach its destination ; and that this Company shall not be liable for mistakes in the transmission or delivery, or for non-delivery to the next connecting Telegraph Company, of any repeated message, beyond fifty times the extra sum received by this Company from the sender for repeating such message over its own lines ; and that this Company shall not be liable in any case for delays arising from interruptions in the workings of its lines, nor for errors in cipher or obscure messages. And this Company is hereby made the agent of the sender, without liability, to forward any message over the lines of any other company to reach its destination.

This Company is not to be liable for damages in any case where the claim is not presented in writing within thirty days after the sending of the message.

Mr. Cheston.

To Treas. Jan. 19
" Tel. Jan. 19
" Cabana,
by Jan. 19

January 18. 1898.

INDEX BUREAU REC'D. JAN 19 '98 DEPT. OF STATE

Form No. 1516.

CABLE MESSAGE.

THE WESTERN UNION TELEGRAPH COMPANY.

INCORPORATED

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GLASGOW: No. 29 Gordon St. and No. 4 Waterloo St.
BRISTOL: Backhall Chambers.

160 K PR GVT 24 24 wds

RECEIVED at 6 P.M Washington D.C. Jan 18-1898.

189

Havana,
Jan 18. Third Assistant Secretary State,
Washington.

Shipments filler tobacco 1285 bales NewYork Thursday 959 NewYork Saturday 350 Chicago Saturday 213 Tampa Saturday.

Lee.

3rd. ASST. SECRETARY JAN 19 1898

COPIED.

No. 748.

INDEX BUREAU
REC'D.
JAN 22 '98
DEPT. OF STATE

U. S. CONSULATE GENERAL.

HABANA, Jan. 18th, 1898.

Mr. LEE

Acted by Jarvis
Feby. 19th 1898.

TO THE

DEPARTMENT OF STATE

Delivery of supplies coming from the United States.

No. 748.

U. S. CONSULATE GENERAL.

HABANA, January 18th,1898.

Hon.William R.Day,

Assistant secretary of State,

Washington.

Sir:

I have the honor to transmit herein the translation of a communication from the Secretary of the General Government in reference to the delivery of supplies coming from the United States to the Committees appointed to receive them.

I am,Sir,your obedient servant,

Fitzhugh Lee

Consul General.

1 Enclosure: Translation of communication referred to.

ASSISTANT SECRETARY
FEB 1 1898
DEPARTMENT OF STATE

Enclosure No.1.

With Despatch No.748.

H A B A N A , January 18,1898.

Translation.

GENERAL GOVERNMENT OF THEISLAND OF CUBA.

OFFICE OF THE SECRETARY.

In answer to your communication dated this month, I have the honor to inform you, by order of His Excellency, that the proper orders have been given to the Collector of Customs by the Secretary of Finance, to the end that the effects coming from the United States for the aid of the reconcentrados on this Island be deposited on the San Jose wharves, at the disposal of the Junta in charge of the distribution; and releaving the custom house officials from all responsibility in the custody of same.

God guard you many years. Habana, 15 Jany., 1898.

Signed: Jose Congosto.

To the Consul General pf the United States.

DEPT. OF STATE
JAN 22, 11.29 AM
CHF. CLKS. OFFICE
ANSWERED

No. 749.

Confidential

INDEX BUREAU
REC'D.
JAN 22 '98
DEPT. OF STATE

COPIED.

ASSISTANT SECRETARY
FEB 1 1898
DEPARTMENT OF STATE.

U. S. CONSULATE GENERAL.

HABANA, January 18th, 1898.

ack & file.

Mr. LEE

TO THE

DEPARTMENT OF STATE

Cuban affairs.

rec'd Feby. 5/98.

2 COPIES MADE.

COPIED FOR CONGRESS.

No. 749.

Confidential

U. S. CONSULATE GENERAL.

HABANA, January 18th, 1898.

Hon. William R. Day,

Assistant Secretary of State,

Washington.

Sir:

The recent disorders in this city are to be primarily attributed to a group of Spanish officers who were incensed at articles appearing in three of the newspapers of Habana "El Reconcentrado", La Discusion" and "El Diario de la Marina". The first was very pronounced against general Weyler and his methods, the "Discusion" had been suppressed by Weyler, but its publication was permitted to be resumed by Blanco, and the last had been an ultra Spanish organ, but had been converted by the present authorities to Autonomy.

It is probable that the Spanish officers were first provoked by the denunciations of Weyler in the columns of one of these papers and determined to stop it, and afterwards being supported by the mob turned the demonstration into an anti-autonomistic affair.

I think we may safely deduce from what has happened:

1st: The great mass of the Spaniards here are opposed to Autonomy.

2nd: The Governor General is powerless to force its adoption.

3rd: Large numbers of the officers and men of the Spanish Army, more particularly the Volunteers, cannot be depended upon to obey General Blanco's orders, when issued in the interest of Autonomy.

4th: The Spanish merchants and property holders generally

-

favor some form of intervention on the part of the United States, but are prevented from an open expression on the subject, lest they be disturbed by the soldier element.

5th: The Cubans bearing arms want an Independent Republic and the intelligent and educated Cuban citizens desire Annexation to our Republic.

I send to-day am analysis of the Autonomistic plan. The intense opposition to it on the part of the Spaniards arises from the fact that the first appointments of officers to put into form its provisions were made generally outside of their party, being in order an attempt to show the Cubans in arms that Autonomy was instituted for their benefit and protection, and that, therefore, they should stack their arms and be the recipient of its blessings. A careful consideration of the proposed Autonomistic government will show that after the Cubans have given their consent to peace Spain will have as complete control over the Island as heretofore, and will naturally exercise it ultimately through her ever loyal subjects. The intelligent Spaniards know this, but see no prosperity in the future, but rather other wars and more confusion, in the same old attempts to make the waters of commerce flow in unnatural channels. The lower Spanish classes have nothing in mind when Autonomy is mentioned except Cuban local rule, hence their opposition.

The Cubans, even if they were convinced that Autonomy is genuine, and Spain is sincere in desiring them to regulate their domestic or internal affairs, would not, as far as I can see now-accept any form of government over which the Spanish flag flies. Cuba now is supposed to be under a sort of Provisional government, composed of secretaries or Ministers, whose commissions will be vacated after the Insular chambers or Cortes meet. The provisional machinery, ~~[illegible]~~ is costly and cumbersome. The simplest method, I think, would have been to have arranged for the elections and for the prompt session of the Island's Congress. The present Ministerial Government is weak and the

No.

U. S. CONSULATE GENERAL.

HABANA,

Cabinet officers were the first whose homes and persons had to be guarded in the recent disturbances, and to-day there are over 10.000 regular troops drawn from the interior and massed in this city to keep the peace.

If therefore, Autonomy is a failure, and if it is impossible to return to the Weyler or ~~other~~ similar methods, the living question would seem to be - What next?

I am, Sir, very truly yours,

Fitzhugh Lee

Consul General.

P.S. The paper referred to will go by the next steamer.

1 Copied for Peace undated. About Jan 15/98.

CONSULATE-GENERAL OF THE UNITED STATES
OF AMERICA.

My dear Judge -

I send you a letter from Mr Atkins - Since it was written he has heard of opposition to autonomy here. A. talked with Spanish authorities here a good deal since the above - He has always held with them & in turn has advised Spanish protection & Estado & from a business point of view - I see nothing wrong in that -

Various efforts are current in reference to Blanco's ~~xxxxxxx~~ marking two or three days and regular trips in the city after the Riots had ceased one - Scarlet Fever has imagined

CONSULATE-GENERAL OF THE UNITED STATES
OF AMERICA.

he was in great danger personally & was going to be driven from the Island à la Capt. Gen Dulce in 1869- another- that he was going to disarm the volunteers & market other soldiers around him in case of their resistance & still another- that he was going to send the local troops or volunteers to the field & use the regulars for the city- The explanation of this more I think is that Blanco does not know what might happen & wants to be prepared- In meantime, the country in Matanzas & Sancti del Rio provinces being denuded of regular & Spanish troops, the insurgents are going Kirby according- Yesterday they blew up a train on the Western R.R. (Sancti del Rio) killing & wounding a number of persons at a point 40 miles from this city- Of course

CONSULATE-GENERAL OF THE UNITED STATES
OF AMERICA.

there have been rumors about me during the evening. & finally first time since I was a "delicious & bel" I can say men there walked around armed. I only believe for some crazy fool getting ugly. All parties may yet make it up & allies the Government & me represent. & so far I really see no danger to Americans here & have heard of any threats that were directed against me.

I have at last succeeded in getting the obstructions cleared away from the front delivery of american supplies by the Custom House authorities & the distributing Committee & tomorrow Wednesday we will get all out of the Custom House & flight by the Steamer Concho & Valencia from N. Y. My representative will go around to the other places in this Province and Pinar del Rio & co-operate with the local

CONSULATE-GENERAL OF THE UNITED STATES
OF AMERICA.

authorities there are Landing here
& thus see that the generous donations
by the people of the United States reach
those for whom they are intended -
Up to date there have received in all -
$5784.77cts in money - I sent 500 $ of this -
money men get a free pass on the Rail Roads
Said Roads carry Relief Supplies at half
Rates - Another Consular District
Purpose to send supplies & money
direct to the U. S. Consuls with a
request to manage the distribution as
there done - At present we are
feeding 2319 poor persons in this City daily - As the
means increase a larger number will be provided for.
Garcia - appointed by Blanco autonomistic Governor of Santa
Clara came near being assassinated a few days ago
Spanish officer fired at him (only a few feet distant) but a Spanish General
struck his arm up & the ball went above his head - It was done it is said
to show the opposition to Autonomy - So you see what a happy family we are here
Am truly Yrs very truly Fitzhugh Lee

ATKINS & CO.
35 BROAD ST.
Address: ATKINS.

Soledad Cienfuegos
~~Boston~~, Jan 15 1895

Gen'l Fitzhugh Lee
Havana

My Dear General.

I promised to write you about the conditions here. I find them tolerably quiet, some small bands of insurgents roaming about occasionally selling fires, but I think no great damage has been done so far. Crops are not plenty but most sugar estates make some

The country in our rear is deserted for miles, even the "Buzzards" (birds of prey) the starving ones eating each other. These birds fear the oil waste out of the car boxes of our RR cars. To such an extent that we have many rat boxes. This shows the condition of the country

In all the towns there is much misery among the whites

E. ATKINS & CO.
35 BROAD ST.

Cable Address: ATKINS.

Boston, 189

but it is a noticable fact. that the blacks. even to the children seem to flourish and keep fat Here as in Havana I find no opposition to Autonomy; but no great faith; the people would welcome it; if it would restore peace.

The desire for annexation extends to all classes; and the better class among the Cubans dread independence, the leaders of the Autonomists are hopeful and I think with some reason; they are working faithfully

Regarding the man Cepero. I find that our govt is supporting his family through Consul Barker of Sagua; could not this money be applied in a more worthy manner? really I think this is carrying things a little too

ATKINS & CO.
35 BROAD ST.

able Address: ATKINS.

Boston, 189

Jan.

Work goes on quietly with us, ever up to the present time we have not been further molested (since the fries of Dec 20 (Eliet Antonio Ponvert) The Ponverts, have been set free to several times, but I understand with no serious damage.

Spanish officials are very attentive and courteous and have given us a guard of 60 men besides our own police force of 70 men

Very truly Yours.

Edwin T Atkins

I have yours of Jan 11th.

Genl. See to Judge Day

Undated

About Jany 18/98

750

No. 750,

DEPT. OF STATE
JAN 22, 11.36 AM 1898
CHF. CLKS. OFFICE
ANSWERED

INDEX BUREAU REC'D. JAN 24 '98 DEPT. OF STATE

U. S. CONSULATE GENERAL.

HABANA, January 19th, 1898.

19

FILE

Mr. LEE

to the

Department of State.

----------o----------

Return from leave of absence of Mr. SPRINGER.

----------o----------

No. 750.

U. S. CONSULATE GENERAL.

HABANA, January 19th, 1898.

Hon: WILLIAM R. DAY,

Assistant Secretary of State,

Washington. D. C.

Sir:

I have the honor to inform the Department of the return from leave of absence on the 17th instant, and resumption of his duties, of Mr. JOSEPH A. SPRINGER, U.S. Consular Clerk and Vice Consul General at this office.

I am, Sir,

Your obedient servant,

Fitzhugh Lee

Consul General.

Ref. to file

DEPT. OF STATE

JAN 20, 3.10 PM

CHF. CLKS. OFFICE

RECEIVED

INDEX BUREAU REC'D JAN 28 '98 DEPT. OF STATE

ASSISTANT SECRETARY

18 Gov't

TELEGRAM RECEIVED.

JAN 22 1898

From Havana

Jany 20, 1898.

Third Asst Secretary State,

Received 3.— P.M.

Washington, D.C.

confirmed by French cable Jan. 25/98

Filler tobacco 58 bales

Tampa 14 bales Mobile

shipped Yesterday

Lee

Copy to Treasury
Customs

ory.

EPT. OF STATE

JAN 25, 12 11 PM 1898

IF. CLKS. OFFICE

No. 751.

U. S. CONSULATE GENERAL.

HABANA, January 20th, 1898.

Authorized to draw for $5000. Jany 27. 1898. by Telegram. Cable & Telegram Confirmed. Jany. 31/98.

---------o---------

Mr. LEE

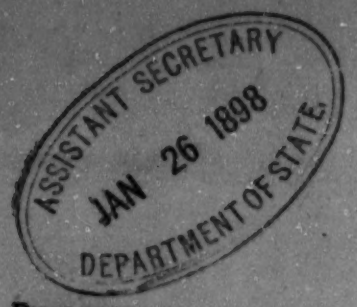
to the

Department of State.

---------o---------

Advising having drawn on January 8th, for $5,000.- for Cuban relief fund, and disposition made of proceeds, and requesting authority to draw $5,000. more.

---------o---------



Consular Bureau:

Acknowledge No.
751 and authorize
General Lee to draw
$5,000 as requested.

No. 7 5 1.

U. S. CONSULATE GENERAL.

HABANA, Jamiary 20th, 1898.

Hon: WILLIAM R.DAY,
Assistant Secretary of State,
Washington. D. C.

Sir:

With reference to the Department's telegraphic instruction of Jamiary 7th in reply to my despatch number 736, to draw for fivr thousand dollars, I have to inform the Department that under date of the 8th January, I have drawn upon the Honorable Secretary of State, two drafts, each for $2,500.- U.S. the proceeds of which in Spanish gold at 8 1/4 % premium of exchange, I deposited at the respective bankers to whom the drafts were sold; viz: at Messrs HIDALGO x CO, $2,706.25 and at Messrs G.LAWTON CHILDS x Co, - - - -"2,706.25

On account however of the recent demands upon this fund, in consequence of the increasing destitution among our citizens, I find that the balance on hand is something less than $1,000.-which will soon be exhausted. I therefore deem it prudent to ask authority to draw for a further sum of five thousand dollars.

I am, Sir,

Your obedient servant,

Fitzhugh Lee

Consul General.

ouyk.

Ack & file.

No. 752.

DEPT. OF STATE
JAN 25, 11.53 AM 18
CHF. CLKS. OFFICE

ASSISTANT SECRETARY
JAN 28 1898
DEPARTMENT OF STATE

U. S. CONSULATE GENERAL.

HABANA, January 20th, 1898.

---o---

Mr. LEE

to the

Department of State.

Rec'd by Jan 29, 1898.

---o---

Remarks upon transmitting Consul BRICE'S despatch No.99 relative to condition of destitute American citizens in Matanzas province., and advising having paid him $1,100.- on account of the relief fund.

---o---

No.752.

U. S. CONSULATE GENERAL.

HABANA, January 20th, 1898.

Hon: WILLIAM R. DAY,

Assistant Secretary of State.

Washington. D. C.

Sir:

Upon forwarding to the Department despatch No.99 of Consul BRICE at Matanzas, relative to the condition of the destitute American citizens in that province, I note that he makes reference to having recently received letters from this office cautioning him not to incur debts on account of the relief fund, but that he nevertheless acknowledges that he was indebted for food and medicines over $800.- for the past two weeks rations and three weeks medicines.

In this connection, I wish to inform the Department that before receiving the despatch referred to for transmission, I had advised Mr. BRICE to draw on me for the sum he required to settle his indebtedness, say $800.- and for a further sum of $300.- for current expenses, or $1,100.- in all.

I have been obliged to send the money out to many points and have had hard work to prevent the consuls from incurring debts, though I have instructed them many times not to do it.

I am, Sir,

Your obedient servant,

Fitzhugh Lee

Consul General.

COPIED

US Consulate General,
Habana,
21 January 1898.

INDEX BUREAU REC'D. JAN 22 '98 DEPT OF STATE

Form No. 1516. **CABLE MESSAGE.**

THE WESTERN UNION TELEGRAPH COMPANY.

INCORPORATED

All CABLE MESSAGES received for transmission must be written on the Message Blanks provided by this Company for that purpose, under and subject to the conditions printed thereon, and on the back hereof, which conditions have been agreed to by the sender of the following message.

THOS. T. ECKERT, President and General Manager.

STATE JAN 22 9.12 AM
CHF. CLKS. OFFICE RECEIVED

TWO AMERICAN CABLES FROM NEW YORK TO GREAT BRITAIN.
CONNECTS ALSO WITH FIVE ANGLO-AMERICAN AND ONE DIRECT U. S. ATLANTIC CABLES.
DIRECT CABLE COMMUNICATION WITH GERMANY AND FRANCE.
CABLE CONNECTION WITH CUBA, WEST INDIES, MEXICO AND CENTRAL AND SOUTH AMERICA.
MESSAGES SENT TO, AND RECEIVED FROM, ALL PARTS OF THE WORLD.

OFFICES IN AMERICA:

All Offices (21,000) of the Western Union Telegraph Company and its Connections.

OFFICES IN GREAT BRITAIN:

LONDON: No. 21 Royal Exchange, E. C. No. 109 Fenchurch Street, E. C.
LIVERPOOL: No. 8 Rumford Street.
GLASGOW: No. 29 Gordon St. and No. 4 Waterloo St.
BRISTOL: Backhall Chambers.

362 00 PR 7 Gvt

RECEIVED at 537 P.M. Washington D.C. Jan 21-98. 189

Havana, Jan 21--Day.
Washington.

Tranquility prevails.

Lee.

Confirmed by Jarvis Jany 25/98.

DEPT. OF STATE
JAN 25, 11.49 AM 1898
CHF. CLKS. OFFICE

No. 753.

U. S. CONSULATE GENERAL.

HABANA, Jan.21st, 1898.

ASSISTANT SECRETARY
JAN 28 1898
DEPARTMENT OF STATE.

Ask for file

Mr.LEE

to the

DEPARTMENT OF STATE.

Rec'd by forms
Jany 29. 1898.

Enclosing a letter from the agents of the Plant line of steamers here, in answer to instruction No.515, Dec.8, 1897.

No. 753.

U. S. CONSULATE GENERAL.

HABANA, January 21st, 1898.

Hon. Thomas W. Cridler,

Third Assistant Secretary of State,

Washington.

Sir:

Referring to your instruction number 515 of the 8th December, 1897, which only reached me a few days ago I have the honor to enclose herewith a letter from the agents of the plant line of steamers in this city, whom I know to be truthful and reliable gentlemen.

I am, Sir, your obedient servant,

Consul general.

Enclosure: Letter referred to.

Enclosure No.1.

With Despatch No. 17 5 3. January 21st,1898.

Copy.--------

Habana, January 20th,1898.

Fitzhugh Lee, Esquire,

Consul General of the United States.

HABANA.

Sir:

Regarding the case of the fine against captain of the S.S."MASCOTTE",for alleged smuggling,we beg to say that the facts are as follows,viz:-

The S.S."MASCOTTE" arrived at her buoy in the harbor of Ha Habana on Sept 29th,1897,the captain's manifest declaring his cargo was delivered to customs officials,passengers and freight were landed,and all was supposed to be in order,but later a boat was seen to leave the ship's side,was seized by detectives who in citizen clothes were waiting for it,and it was found to contain twelve boxes of condensed milk,which it is alleged were put into the boat from the ship. Every vessel which discharges more cargo than manifest calls for,is liable to a fine hence "MASCOTTE" was fined $831. say ten times the amount of duty intended to be defrauded.

We fought the case all we could,and finally got it before a a committee of merchants to which government sometimes submits such questions,and the fine was cut down one-half: I.E. t the government offered to take $415.50 to settle the matter, but we refused to settle on that basis. Our defense was that if the boxes found in the boat really came from the "MASCOTTE" we were satisfied that none of the crew had anything to do with it,and that the captain ought not to be forced to pay the fine,as the work might have been done by a passenger,and that anyway the government got the milk and that it was worth a good deal more than the duties.

During the investigation it was found that one of the stevedores had something to do with the case and he was at once discharged from employment.

The above are the facts in the case and we take pleasure in submitting them for your guidance.

The "MASCOTTE" has been running to this port for the last twelve years, having made over 800 round trips and has an excellent record. The captain and crew have never before been charged with smuggling and as there is no proof that they are in any way connected with the alleged case above mentioned, we b beg that you will use all possible influence with our government at Washington, that the Spanish authorities at Madrid may be induced to relieve the captain of this unjust fine.

We have the honor, etc,

(Signed) G.LAWTON CHILDS and CO.

CRANE'S

Copied.

CONSULATE-GENERAL OF THE UNITED STATES
OF AMERICA. Jan 21st '98

Myer Dudge: I received last night a note asking me to come to the palace to say & do & went there & had a confidential talk with Blanco & Congros to - they seem to think the recent troubles are all over, & that if others arise they will be able to deal with them more promptly & satisfactorily because they will keep a brigade or more of regular troops in close call of the Palace under officers in whom they have absolute confidence - Blanco told me the "Cabinet" (new autonomistic Secretaries) were very much exercised over the demonstrations & that 3 or 4 correspondents of N.Y. papers were sending out - the "Journal" in particular - inaccurate pictures of cannon in the streets at the U.S. Consulate Building &c &c - Then were some guards sent to the building as a precautionary measure - but no cannon - I must say that a great many of the accounts of the recent riots were untrue - & exaggerated slightly demonstrations - The Cabinet seem to think

CONSULATE-GENERAL OF THE UNITED STATES
OF AMERICA.

that the public mind in the U S is kept excited by such publications - thus making it more difficult to keep the peace between the two Countries -

I donot Know what can be done in the matter - unless the Proprietors of these papers could be reached by a friendly request from your Dept as to that they caution their Correspondents to keep within bounds "tell the truth & nothing but the truth" -

I donot see any more trouble directly ahead - but there is often a feeling of unrest, & disquietude, continued with the general opinion that autonomy will not last for peace, it is difficult to forecast what a day might bring forth - I am quite sure the authorities here will, if necessary, protect this Consulate & the Americans over here, by the necessary orders - & that I am not uneasy - I think it is suitable the Prop

CONSULATE-GENERAL OF THE UNITED STATES
OF AMERICA.

would obey orders in such a case, & of course upon that every thing would depend.

Second what follows is most important.

1st. As I wrote you a few days before any action Executive or Legislative looking to intervention or intermediation in Cuban affairs, I should be notified of such action & the date, if not be made public.

2nd. At same time. viz: a few days before. the evolutions of the american fleet should be extended to this Port. for the preservation of peace & order & for the protection of american life & property. I would suggest that the movements of the ships be ordered as to bring the leading vessel into the harbor at day light the others to follow closely. so that before the city fully awakens the morning. the moral effect of this show of magnificent force would be complete & the present any fantastic performances by the Spaniards. which might be provoked

The American Navy.

From Washington they telegraph to the Herald that in official circles it is estimated that the Navy of the U. S. is inefficient for a serious encounter as the cannons of the vessels are antiquated, there is a scarcity of powder and dry-docks.

LA MARINA AMERICANA

Telegrafian desde Washington al *Herald*, que en los círculos oficiales se estima que la marina de guerra de los Estados Unidos es ineficaz para una acción seria, pues los cañones de los barcos son antiguos, hay escasez de pólvora y faltan diques.

CONSULATE-GENERAL OF THE UNITED STATES
OF AMERICA.

By the appearance of one or two slips—
I send you herein a clipping from a Spanish
paper which appeared this morning. You
will see a great many Spaniards believe what is
here written about our navy—
& should be very glad - if you have a moment
to spare - if you would let me know your views
& receive my suggestions on the 3rd page of this letter.

Spanish papers publish today & the desertion
of a man named Ducasso & 110 others from the
Dos Argentes. There are rumors that it was a $50,000
deal. His said masso is a relative of the President of the
so called Cuban Republic - Will let you know later
about it - There things occur every now & then - I attach no
significance to it - but the fact that the Spaniards are
making so much of it. Shows a little comfort goes a
great way - Everything is quiet here
& business is being resumed - The city indeed
the Island subsists on what the steamers bring from
the United States. A blockade that stops the merchants
trade here - must terminate by general starvation (if continued -)
the Spanish rule in Cuba -
[How Wm R. Day stands now]

Yours very truly Fitzhugh Lee



No.754.

U. S. CONSULATE GENERAL. DEPT. OF STATE

JAN 25, 11.52 AM 1898

HABANA, Jan.21st,1898. CHF. CLKS. OFFICE

ack & file.

Ackd. by Jam. Feby. 2 1898.

Mr.LEE

to the

DEPARTMENT OF STATE.

Forearding a document containing "Observations regarding the Decree which establishes on the Island of Cuba the Autonomic regime,and two copies of the Havana Gazette.

2 COPIES MADE.

COPIED FOR CONGRESS.

No.754.

U. S. CONSULATE GENERAL.

HABANA, January 21st, 1898.

Hon. William R. Day,

Assistant Secretary of State,

Washington.

Sir:

With reference to my despatch number 749, of the 18th instant, I have the honor to transmit herewith a document containing "Observations regarding the Decree which established on the Island of Cuba the Autonomic Regime", and two copies of the Havana Gazette containing the Decree referred to.

I am, Sir, your obedient servant,

Consul General.

2 Enclosures:

No. 1. Document referred to.

No. 2. Two copies of the Havana Gazette.

Enclosure No.1.

With Despatch No.754.
HABANA, Jan.22,1898.

TRANSLATION.

OBSERVATIONS REGARDING THE DECREE WHICH ESTABLISHES ON THE ISLAND OF CUBA THE AUTONOMIC REGIME.

1. Article 3rd grants to the insular Chambers together with the Governor General, the power to legislate regarding colonial affairs, "in the form and terms designated by law". What law? Those decreed by the Cortes at Madrid? It appears so, because the provisions of a general character emanating from the said Cortes shall receive the name of Laws, while the colonial legislative provisions are to be called Statutes. And if the Cortes of the Kingdom is the one to fix the form and terms of the colonial resolutions, it has a powerful arm in its hands and can annul the action of the insular Chambers.

2. The insular representation is composed of two bodies, with the same authority: the Chamber of Representatives and the Council of Administration: Article 4th provides that the Chamber is formed by popular election; but that concession, which at first seems extensive, when examined in its relations with the other powers given to the insular representation, is practically deficient. No colonial resolution can be in force, unless it has been approved by the Chamber and the Council. The Council, as we shall see later, from the nature of its composition, will be controlled by the Government, in such a manner that the representatives of the people to the Chamber will always find themselves in the power of the Government in some way. They will not be able to do anything, because if the Council does not approve, or should modify the decision of the other House - the Chamber - the latter's decisions will have

no effect, The veto granted by article 43 will not be required.

3. The Council of Administration is composed of 35 members: 17 are appointed directly by the Government: the remaining 18 are elected by popular vote. To be elected a member of said Council it is necessary to be a Spaniard (Spanish subject) 35 years of age, and possessing an income of $4000 for two years previous to election. The formation of the Council will be, therefore, controlled by the Government, because the Government will appoint unconditionally the 17 members, and it will be very easy for the Government to find one or more votes among those owing their election to the people, the more so, as the conditions required to be a Counsellor are favorable to those near the Government. In order to pass any measure, the presence of a majority of those composing the Legislative body is required; it will very difficult to have all the 18 members elected by the people vote as a unit, and the absence of one will be sufficient to give the governmental members control of the body, or the vote be a tie.

If the members elected should stand together on any measure objectionable to the Government they could be sent to their homes by the Governor General, and he can instruct or direct the election of others more accomodating. On the other hand the members by governmental appointment cannot be removed - their offices or positions cease with their lives. The Governor General cannot remove them. And to this end, they will be carefully selected as faithful instruments of the Government, in whose hands, the whole autonomistic machine will be placed. It is known that in Canada all Senators are appointed by the Government; but it should be remembered that the Governor general appoints them, with the advice and consent of its Counsellors or Ministers, and that these Counsellors are elected by the parliament, and the parliament by the people, the

result is, that in Canada the Senators are representatives of the people, while here in Cuba the Government can control them.

4. As if the authority to veto was not sufficient (art. 43),- and the power did not exist to suspend, close the sessions and adjourn both Bodies or either of them, by the decree of the Governor General; article 30 grants more authority or power to present or annul the freedom or liberty of the discussions of the Colonial Parliament, when, in the opinion of the Governor General, the national interests will be affected by a colonial statute, the bill in question cannot even be discussed unless previously authorized by the central government, and it is a limitation or restriction which has no precedent in any known autonomistic legislation. It is improper, because the restriction arises before the debates show the character of the measure to be discussed. It reveals, besides, a mistrust or want of confidence of the mere discussion of the subject.

A Governor General may decree that all bills or colonial statutes may be, in his opinion, contrary to the national interest and that nothing should be discussed in the local Legislative Bodies without the previous consent of the Madrid Government. All guarantees are for the Madrid-power: there are none for the colony, except the one named in article 43, which fixes the limit, within which, the Madrid Government has to decide regarding the right of a veto which a colonial statute may have received from the Governor General.

5. Article 56 grants exclusive power to the Cortes of the Kingdom, to determine the expenses of sovereignty, which the colony has to pay and the necessary receipts to cover them; ~~all of which~~ for them, the Cortes can alter at pleasure. Therefore the Colony has no direct vote in a matter of so great importance. It may be said that she is allowed to appoint her deputies to the Cortes of the Kingdom, and that through them the Colony can be heard. But the Colony's voice will be lost, because even if they will not agree, and then the others will decide.

exemx their number would be insignificant before the remaining deputies of the Nation. And it may happen that the expenses of sovereignty put by the Cortes on the Colony, absorb all of its receipts, because neither of the two Houses (Chambers) can deliberate regarding the colonial budget, without having first voted to pay the expenses of sovereignty.

6. Article 37 speaks of treaties of commerce which may affect Cuba, and states that the Madrid Government shall make them aided by delegates of the colonial government. And, further, that when the treaties are approved by the Cortes of the Kingdom, they will be published as general laws, and as such, will be respected in the insular territory, but it is left doubtful whether they would be laws in Cuba if the colonial delegates should reject them. If the Madrid Government is not to rule in such a case, it should be so stated. And if it is a law, notwithstanding the colonial opposition - why is the concurrence of the Colony asked? The case referred to in art. 38 does not decide it, because it only refers to those treaties, in the negotiation of which, the insular government has had nothing to do with.

7. Article 40 gives in a very ingenious manner a method of deciding the differences arising from privileged articles of commerce, in comparison to similar foreign articles and in reference to the extension of such a privilege, within the maximum limit of 35 per cent differential duty. When the two Governments making the treaty do not agree, a committee is formed of the same number of Cuban and Peninsular deputies. These deputies appoint their President: if they do not agree, the eldest in age presides. And the President has the casting vote. Let ussuppose the Cuban deputies to be very patriotic, which is by the way, supposing a great deal, but as they will never be more patriotic than the peninsular delegates, it will result, that they will not agree, and then the eldest will decide.

As there are a large number of Peninsular deputies and a very small number of Insular deputies to select from, ~~thxxxxxxxxixkxy thxxxfxxx~~ care will be taken that some aged Peninsular deputy be appointed on said Committee, and he would be the one to decide. The matter would have been simplified by stating that the eldest Peninsular deputy would be the one to make the lists, as such will be the result.

8. Article 40 also refers to the schedules of the merchandise, which will appear in the privileged lists. The decree only says that they shall be made by mutual consent (meaning Cuban and peninsular deputies). It does not make any reference to the case when there is no mutual consent, which makes us suppose that the same procedure recommended in the other lists will be observed. The eldest Peninsular deputy will, therefore, make the said schedules.

9. The Governor General has the power to suspend the constitutional guarantees, apply legislation of Public Order (Ley de Orden Publico), and adopt any measures he may deem fit to maintain peace etc. etc. This power, the Governor General can exercise at will, without any limitation, because he is not obliged to hear the opinion of the Council of Secretaries (Ministry), and thus, the whole political system of the country lies with the Governor General. The latter can, therefore, find, ~~under~~ any pretext for court martials, the application of the Code of Military Justice and all that series of proclamations and orders which have caused so much harm, and which rob the citizen of all guarantees and protection.

10. The distribution of the public debt of Cuba remains completely in the hands and subject to the decision of the Cortes of the Kingdom, which will try to assign to Cuba as much of it as it can, so that Spain will pay the smallest part.

Beyond all this even, the fact remains and makes useless, while it exists, all orderly and pacific development of the [illegible] and the fact

autonomistic regime, and this fact is the existence of the volunteers in arms. The political party in power is unarmed, has no force of its own - while the Spanish radical (intransigente) party, which is in the opposition, is armed, having on its side the armed volunteers. Under such conditions there can be no genuine autonomistic government, because the opposition can side over, whenever it pleases, the authority of the local government, and of which we had a very recent example, and can have it repeated, whenever the radical Spanish (intransigente) party so desire.

CRANE'S

Año LIX.—Núm. 148 Domingo 19 de diciembre de 1897 Tomo 2º—Pág. 1179

GACETA DE LA HABANA

PERIODICO OFICIAL DEL GOBIERNO

PUNTOS DE SUSCRIPCION

HABANA, en la Administración de la imprenta, calle de Teniente Rey, 23; Teléfono, 293.
PROVINCIAS, en casa de los respectivos agentes.

LOS ANUNCIOS Y SUSCRIPCIONES se reciben en la Administración, de 7 á 10 de la mañana y de 11 á 4 de la tarde, todos los días, menos los festivos.

PRECIO DE LOS ANUNCIOS

Por cada línea al día . . . . . 20 cts. oro.

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PARTE OFICIAL

ADMINISTRACION GENERAL

GOBIERNO GENERAL DE LA ISLA DE CUBA

SECRETARIA GENERAL

Por el Ministerio de Ultramar se comunica al Excmo. Sr. Gobernador general, con fecha 27 de noviembre último, y bajo el número 1384, la Real orden siguiente:

«Excmo. Sr.:—En la imposibilidad material de trasladar á V. E. los decretos estableciendo en esa Isla el régimen autonómico, el título primero de la Constitución y el de adaptación de la ley Electoral del año 1890; S. M. el Rey (q. D. g.) y en su nombre la Reina Regente del Reino, se ha servido disponer que se remitan á V. E. los adjuntos ejemplares de la *Gaceta de Madrid*, para que surtan todos los efectos legales, ínterin llegan los traslados correspondientes de los citados Reales decretos.—De Real orden lo digo á V. E. recomendándole especialmente lo dispuesto en el artículo primero de los transitorios, á fin de que se constituya el Gobierno interior de la Isla y seguidamente los demás servicios.»

Y acordado por S. E. su cumplimiento con fecha de ayer, de su orden se publica en la GACETA DE LA HABANA para general conocimiento.

Habana, 16 de diciembre de 1897.

El Secretario general,
José Congosto.

EXPOSICIÓN

SEÑORA: Al abordar el problema de introducir en las islas de Cuba y Puerto Rico la autonomía colonial, empeño que con el de la pacificación del territorio cubano constituye los compromisos que el Gobierno tiene contraídos con la Nación, estiman los Ministros que las explicaciones detalladas y los comentarios de las complejas materias que abraza el proyecto deben ceder el paso á la exposición sobria, pero completa, de sus caracteres fundamentales, de las esferas de acción á que se extiende y de las consecuencias que, á su juicio, ha de engendrar el régimen que proponen á V. M. para la gobernación de las Antillas españolas.

La crítica y el análisis esclarecerán bien pronto cuanto á los detalles se refiera; las ideas esenciales y la inspiración del decreto, sólo en este sitio y en este momento tienen lugar apropiado.

Es esto tanto más necesario, cuanto que la primera y más esencial condición de éxito en esta clase de reformas es la absoluta sinceridad del propósito. Con ella ha procedido el Gobierno á estudiar la mejor fórmula de Constitución autonómica para las islas de Cuba y Puerto Rico, y de que la intención y los resultados han marchado de consuno, espera dar en estas observaciones demostración acabada.

Propúsose, ante todo, sentar claramente el principio, desenvolverle en toda su integridad y rodearlo de todas las garantías de éxito. Porque cuando se trata de confiar la dirección de sus negocios á pueblos que han llegado á la edad viril, ó no debe hablárseles de autonomía, ó es preciso dársela completa, con la convicción de que se les coloca en el camino del bien, sin limitaciones ó trabas hijas de la desconfianza y del recelo. Ó se fía la defensa de la nacionalidad á la represión y á la fuerza, ó se entrega al consorcio de los afectos y de las tradiciones con los intereses, fortificado á medida que se desarrolla por las ventajas de un sistema de gobierno que enseñe y evidencie á las colonias que bajo ningún otro les sería dado alcanzar mayor grado de bienestar, de seguridad y de importancia.

Esto sentado, era condición esencial para lograr el propósito, buscar á ese principio una forma práctica é inteligible para el pueblo que por él había de gobernarse, y la encontró el Gobierno en el programa de aquel partido insular, considerable por el número, pero más importante aún por la inteligencia y la constancia, cuyas predicciones, desde hace veinte años, han familiarizado al país cubano con el espíritu, los procedimientos y la trascendencia de la profunda innovación que están llamados á introducir en su vida política y social.

Con lo cual ya se afirma que el proyecto no tiene nada de teórico, ni es imitación ó copias de otras Constituciones coloniales, miradas con razón como modelo en la materia, pues aun cuando el Gobierno ha tenido muy presentes sus enseñanzas, entiende que las instituciones de pueblos que por su historia y por su raza difieren tanto del de Cuba, no pueden arraigar donde no tienen, ni precedente, ni atmósfera, ni aquella preparación que nace de la educación y de las creencias.

Planteado así el problema, tratándose de dar una Constitución autonómica á un territorio español poblado por raza española y por España civilizado, la resolución no era dudosa; la autonomía debía desenvolverse dentro de las ideas y con arreglo al programa que lleva ese nombre en las Antillas, sin eliminar nada de su contenido, sin alterar sobre todo su espíritu, antes bien, completándolo, armonizándolo, dándole mayores garantías de estabilidad, cual corresponde al Gobierno de una metrópoli que se siente atraída á implantarlo por la convicción de sus ventajas, por el anhelo de llevar la paz y el sosiego á tan preciados territorios, y por la conciencia de sus responsabilidades, no sólo ante la colonia, sino también ante sus propios vastísimos intereses que el tiempo ha enlazado y tejido en la tupida red de los años.

Seguro así de la forma que mejor cuadraba á intento, no era difícil distinguir los tres grandes aspectos que ofrece el planteamiento de una Constitución autonómica. En primer término, los sagrados intereses de la Metrópoli, que alarmada y desconfiada por la conducta de muchos de sus hijos, y herida por la ingratitud de aquellos que fían más en el egoismo del logrero, que en la afección del hermano, anhela ante todo que el cambio á que se halla pronta estrecha y afirme el lazo de la soberanía, y que en medio de una paz bendecida, los intereses de todos sus hijos, que ni son opuestos ni contradictorios, aunque á veces sean distintos, se armonicen, compenetren y desarrollen por el libre acuerdo de todos.

Después, las aspiraciones, las necesidades, los deseos de las poblaciones coloniales, ansiosas de ser tratadas como hijas desgraciadas en vez de ser destruídas como enemigas, atentas al llamamiento cariñoso y rebeldes como españolas á la imposición brutal de la fuerza exterminadora, que esperan de su Metrópoli una forma que moldee sus iniciativas y un procedimiento que les autorice á gobernar sus intereses.

Y por último, ese vasto é interesante conjunto de las relaciones creadas, de los intereses desarrollados en ese largo pasado, que á nadie, y menos á un Gobierno, es lícito desconocer ni olvidar, y cuya conservación y desarrollo envuelve la realización del destino de nuestra raza en América y la gloria de la bandera española en las tierras descubiertas y civilizadas por nuestros antepasados.

A estos tres órdenes de ideas responden las disposiciones fundamentales del proyecto sometido á la aprobación de V. M Al primero, ó sea al punto de vista metropolitano, pertenecen las cuestiones de soberanía confiadas á los más elevados organismos de la nacionalidad española. La representación y autoridad del Rey, que es la nación misma, el mando de los Ejércitos de mar y tierra; la Administración de la justicia; las inteligencias diplomáticas con América; las relaciones constantes y benéficas entre la colonia y la Metrópoli; la gracia de indulto; la guarda y defensa de la Constitución, quedan confiadas al Gobernador general, como representante del REY, y bajo la dirección del Consejo de Ministros. Nada de lo que es esencial ha sido olvidado; en nada se disminuye ó aminora la autoridad del poder central.

El aspecto insular se desenvuelve á su vez de manera tan completa y acabada como la pudieran imaginar los más exigentes, en la autonomía central, provincial y municipal; en la aplicación, sin reserva, equívoco ó doble sentido del sistema parlamentario; en las facultades de las Cámaras insulares y en la creación de un Gobierno responsable, á cuyo frente y formando el lazo supremo de la nacionalidad, en lo que al Poder ejecutivo se refiere, aparece de nuevo el Gobernador general que, de una parte, preside por medio de Ministros responsables al desenvolvimiento de la vida colonial, y de otra la enlaza y relaciona á la vida general de la Nación.

Y aquel tercer aspecto, en el cual viene á resumirse la historia de las relaciones entre las Antillas y la Metrópoli, y dentro del cual habrán de desenvolverse también su comercio, su crédito y su riqueza, se define en una serie de disposiciones de carácter permanente, que enlaza los dos Poderes ejecutivos, el insular y el nacional, y en ocasiones sus Cámaras de modo que á cada momento, y en las variadas solicitudes de la vida, se presten mutuo apoyo y se ayuden á desenvolver los intereses comunes.

Y todo este sistema múltiple y complejo, aunque no complicado, se sanciona y se hace práctico por una serie de garantías, de enlaces, de constantes inteligencias y de públicas discusiones, que harán imposible, en cuanto á los hombres es lícito predecir el porvenir, los dilemas sin salida, las diferencias irreductibles, el choque entre la colonia y la Metrópoli.

Punto es éste de tal importancia, que á él hubiera subordinado en todo caso el Gobierno todas las demás cuestiones, si tal subordinación hubiera sido precisa, que ni puede ser[illegible] habría por qué temerlo desde el momento en que [illegible]es del nuevo régimen se afirman sobre la harm[illegible]los intereses, el escrupuloso respeto de los de[illegible]y el deseo en la Metrópoli de ayudar sin descanso al desarrollo, prosperidad y desenvolvimiento pacíficos de sus hermosas Antillas, á cuyo sentimiento ha de encontrar en ellas, no lo duda el Gobierno, una leal correspondencia.

No es esto decir que no ocurran cuestiones, en las cuales se confundan las dos esferas de acción, y quepan dudas legítimas acerca de cual es el interés en ellas predominante, y nazca, tras de la duda la discusión, más ó menos apasionada. En ninguna colonia autónoma ha dejado de suceder eso; en ninguna se ha dado el caso de que el Poder central esté siempre y sistemáticamente de acuerdo con los actos del Poder colonial. Larga es la lista de las resoluciones legislativas del Canadá á que el Gobierno inglés ha puesto el veto, y curiosa y por demás interesante la serie de resoluciones judiciales que han ido definiendo las diversas jurisdicciones de sus Asambleas locales, ya entre sí, ya con sus Gobernadores, y eso que la gran descentralización, los antecedentes de la historia canadiense y la libertad comercial simplifican considerablemente las relaciones de ambos países.

Pero la excelencia del sistema consiste en que, cuando semejantes casos ocurran, y más si han de ser frecuentes, la ponderación de poderes, tanto dentro de la constitución colonial, como en las relaciones con la Metrópoli, sea tal, que siempre quepa el remedio, que nunca falten términos de inteligencia, y que en ninguna ocasión deje de hallarse un terreno común en el cual, ó se armonicen los intereses, ó se resuelvan sus antagonismos, ó se inclinen las voluntades ante la decisión de los Tribunales.

Si, pues, los derechos que la Constitución reconoce á los ciudadanos fueren violados, ó sus intereses dañados por los Ayuntamientos y Diputaciones, que son, á su vez, dentro del sistema, complemente autónomas, los Tribunales de justicia los defenderán y ampararán: si se exceden en sus facultades las Corporaciones, ó si, por el contrario, el Poder ejecutivo pretende disminuir lo que la Constitución del Reino ó las disposiciones de este decreto declaran atribuciones propias de los Ayuntamientos ó de las Corporaciones provinciales, el agraviado tiene recursos que entablar ante los Tribunales de la Isla, y en último término ante el Supremo, al cual corresponderá dirimir las competencias de jurisdicción entre el Gobernador general y el Parlamento colonial, cualquiera que sea el que las suscite; que ambos tendrán igual personalidad para acudir en queja y para buscar reparación legal á sus agravios.

De este modo, cuantas dificultades nazcan de la implantación del sistema ó surjan de su ejercicio, serán resueltas por los Tribunales, cuya ha sido, desde la antigua Roma hasta la moderna Inglaterra, la fuente más progresiva de derecho y el procedimiento más flexible para armonizar las crecientes exigencias de la vida real y las lentitudes de la legislación.

De esta manera, la Constitución autonómica que el Gobierno propone para las islas de Cuba y Puerto Rico, no es exótica, ni copiada, ni imitada; es una organización propia, por los españoles antillanos concebida y predicada, por el partido liberal gustosamente inscrita en su programa para que la Nación supiera lo que de él podía esperar al recibir el Poder, y que se caracteriza por un rasgo que ningún régimen colonial ha ofrecido hasta ahora; el de que las Antillas puedan ser completamente autónomas, en el sentido más amplio de la palabra, y al propio tiempo tener representación y formar parte del Parlamento nacional. De suerte que, mientras los representantes del pueblo insular gobiernan desde sus Cámaras locales los intereses propios y especiales de su país, otros, elegidos por el mismo pueblo, asisten y cooperan en las Cortes á la formación de las leyes, en cuyo molde se forman y se van compenetrando y unificando los diferentes elementos de la nacionalidad española. Y no es esta pequeña ni escasa ventaja, menos aun motivo para extrañeza, como quizás alguno pudiera sentirla, porque esta presencia de los Diputados antillanos en las Cortes es un lazo estrechísimo de la nacionalidad que se levanta sobre todas las unidades que en su seno viven, solicitado hoy, como uno de los mayores progresos políticos de nuestros días, por las colonias autónomas inglesas, ansiosas de participar dentro de un Parlamento imperial de la suprema función de legisladores y directores del gran imperio británico.

Esta forma, pues, característica del sistema que España adopta, al par que le da sentido propio, significa, sino un progreso de los que el tiempo engendra, una ventaja que las circunstancias nos deparan, en justa compensación de las inmensas tristezas que nuestra historia colonial registra.

Reconoce el Gobierno francamente que para el éxito de su obra hubiera sido mejor la pública discusión en el Parlamento y el análisis de la opinión en la prensa, en la cátedra y en el libro; pero no es culpa suya, como no lo fué del anterior Gobierno, si la angustia de las circunstancias le obliga á prescindir de tan preciosa garantía. Pero si el partido que hoy sirve desde el Gobierno los intereses de la Corona y del país no vaciló un momento en aprobar en su día la iniciativa del partido conservador, ni en votarle la indemnidad que solicitó de las Cortes, hoy, que las circunstancias agobian con mayor pesadumbre, derecho tiene á esperar que la opinión apruebe hoy su conducta y que mañana la absuelvan las Cortes.

Por esta razón no vacila en arrostrar la responsabilidad é intenta poner inmediatamente en ejercicio y llevar á la práctica las soluciones que implica el presente Decreto con la misma sinceridad con que lo ha formulado y redactado, alejando hasta la sospecha de que pudiera haber indecisión en su conducta ó reserva en sus promesas. Que si el régimen hubiera de flaquear en la práctica por falta de buena fe en alguno, nunca será, tenemos orgullo en proclamarlo, por culpa de los hombres á quienes ante todo anima el noble deseo de pacificar la Patria.

Con esto cree el Gobierno que ha dicho cuanto era indispensable para que se conociera la génesis, la inspiración y el carácter del proyecto que, estableciendo en Cuba y Puerto Rico el régimen autonómico, somete á V. M. A los que están familiarizados con la lectura de la Constitución de la Monarquía, no les ofrecerá seguramente gran dificultad la del proyecto, pues á su sistema orgánico, á la distribución de sus títulos y hasta á su redacción se ha ajustado el Gobierno en cuanto le ha sido posible. Las modificaciones de los artículos constitucionales son accesorias y circunstanciales: las adiciones responden á su especialidad y van encaminadas á la eficacia de sus disposiciones y á la facilidad de su ejecución.

Seguramente algo quedará por hacer y algo necesitará reformarse: ya lo irán mostrando á un tiempo la defensa y la censura que de sus disposiciones se hagan, y ya se irá aquilatando lo que la una y la otra tengan de fundado, permitiendo incorporar lo bueno en el proyecto y descartar lo que no responda á sus ideas fundamentales cuando llegue el momento de recibir la sanción de las Cortes.

Entiéndase, sin embargo, que el Gobierno no retirará de él, ni consentirá se retire nada de lo que son libertades, garantías y privilegios coloniales, porque pronto á completar la obra ó á esclarecer las dudas, no entiende que al presentarla á la sanción parlamentaria, puedan sufrir disminución las concesiones hechas, ni podría consentirlo si cuenta con la mayoría de las Cámaras.

Pero si con lo dicho queda expuesto cuanto el Gobierno estima necesario para explicar las líneas generales del decreto, todavía juzga indispensable por razones fáciles de comprender, fijar el sentido de los artículos que se refieren á la autonomía arancelaria y á la deuda que pesa sobre el Tesoro cubano.

El comercio de exportación de la Península á Cuba, que se cifra por unos treinta millones de pesos anuales, y que además da lugar á combinaciones de importancia para la navegación de altura, ha estado sometido hasta ahora á un régimen de excepción incompatible en absoluto con el principio de la autonomía colonial.

Implica éste la facultad de regular las condiciones de su comercio de importación y exportación y la libre administración de sus Aduanas. Negárselas á Cuba ó á Puerto Rico equivaldría á destruir el valor de los principios sentados; tratar de falsearlas, sería incompatible con la dignidad de la Nación. Lo que al Gobierno toca, después de reconocer el principio en toda su integridad, es procurar que la transición se haga sin sacudimientos ni perjuicio de los intereses á la sombra del antiguo sistema desarrollados, y para ello preparar una inteligencia con los Gobiernos antillanos.

Porque nunca han negado los defensores más acérrimos de la autonomía la disposición de aquellos países á reconocer en favor de la industria y del comercio, genuinamente nacionales, un margen que les asegurase aquel mercado.

Así lo aseguraron siempre sus representantes en Cortes, y así continúan asegurándolo todos los partidos de la isla de Cuba, según manifestaciones que el Gobierno tiene por irrecusables. Las quejas provenían, no de la existencia de derechos diferenciales, sino de su exageración, que impedía á las Antillas asegurarse los mercados que necesitan para sus ricos y abundantes productos, y de la falta de reciprocidad. No existiendo, pues, dificultades invencibles, hay derecho á decir que la inteligencia, más que posible, es segura; sobre todo, si se tiene en cuenta que la importación peninsular en Cuba se hace en unos 50 artículos entre los 400 que tiene el Arancel, y que de aquéllos, muchos, por su carácter especial y por las costumbres y gustos de aquellos naturales, no pueden jamás temer la concurrencia de sus similares extranjeros.

No deben, pues, alarmarse los industriales de la Península, y con ellos los navieros, ante la afirmación de una autonomía que, al modificar las condiciones en que se funda el Arancel, no altera los fundamentos esenciales de las relaciones económicas entre España y las Antillas. Habrá, sin duda, algunas dificultades para harmonizar ó compensar las inevitables diferencias de todo cambio de régimen mercantil; será preciso combinar de alguna manera ambos Aranceles; pero ni los intereses cubanos son opuestos á los peninsulares, ni está en el interés de nadie disminuir las relaciones mercantiles entre los dos países.

Si, pues, estuviera ya constituído el Gobierno insular, y si con él hubiera sido posible convenir un sistema de relaciones mercantiles, no hubiera tomado esta cuestión proporciones que no tiene, ni habría por qué presagiar ruinas y desgracias; los hechos impondrían silencio á los suposiciones. A pesar de eso, ha creído el Gobierno que para calmar las alarmas debía adelantarse á los acontecimientos, y que en vez de dejar la resolución de la cuestión al funcionamiento natural de la nueva Constitución, convenía fijar desde ahora las bases de las futuras relaciones mercantiles. Y al hacerlo, y para alejar todo motivo de desconfianza, se ha adelantado á fijar un máximum á los derechos diferenciales que podrán obtener las mercancías peninsulares, ofreciendo, como era de equidad, el mismo tipo á los productos insulares.

Fija ya y determinada la base de la inteligencia, garantizado el principio de la autonomía, establecida de manera incuestionable la igualdad de facultades en el procedimiento que ha de seguirse, y conocido el espíritu que anima á aquellos insulares, la negociación será fácil y sus resultados provechosos á ambas partes.

En cuanto á la deuda que pesa sobre el Tesoro cubano, ya directamente, ya por la garantía que ha dado al de la Península, y que éste soporta en forma análoga, está fuera de duda la justicia de repartirla equitativamente cuando la terminación de la guerra permita fijar su importe definitivo.

Ni ha de ser éste tan enorme, así debemos esperarlo, que represente un gravamen insoportable para las energías nacionales, ni la Nación está tan falta de medios que pueda asustarle el porvenir. Un país que ha dado en los últimos meses muestras tan gallardas de virilidad y de disciplina social; un territorio como el de Cuba que, aun en medio de sus convulsiones políticas y del apenas interrumpido guerrear de treinta años, ha producido tan considerable riqueza, aun cultivando tan sólo una pequeña parte de su feracísimo suelo, y que lo ha hecho por sus solas fuerzas; con escasas instituciones de crédito; luchando con los azúcares privilegiados; cerrado el mercado americano á sus tabacos elaborados, y transformando al propio tiempo en libre el trabajo esclavo, bien puede afrontar sereno el pago de sus obligaciones é inspirar confianza á sus acreedores.

Por eso, á juicio del Gobierno, importa pensar desde ahora, más que en el reparto de la deuda, en el modo de satisfacerla, y si fuera posible, de extinguirla, aplicando los procedimientos económicos de nuestra época á las grandes riquezas que el suelo cubano asegura á los agricultores y el subsuelo á los mineros, y aprovechando las extraordinarias facilidades que al comercio universal ofrece la forma insular y la situación geográfica de la que no sin razón se ha llamado la perla de las Antillas. Si sobre estas cosas nada puede todavía legislarse, conviene tenerlas muy presentes y dedicarlas reflexión atenta, ya que á otros, que no pueden seguramente ser acusados de visionarios ni de ilusos, les ha ocurrido aprovechar tanto germen de riqueza, no ciertamente en beneficio de España, ni para sostener su soberanía; que cuando ellos lo hacen sería insensato no imitar su ejemplo, y no convertir en rescate del pasado y en garantía del porvenir lo que ha sido tal vez incentivo para la guerra y origen en gran parte de los males á cuyo remedio acudimos ahora con tanto empeño.

Fundado en estas consideraciones, el Gobierno tiene la honra de someter á la aprobación de V. M. el adjunto proyecto de decreto.

Madrid, 25 de noviembre de 1897.

SEÑORA:

A L. R. P. de V. M.

PRÁXEDES MATEO SAGASTA.

REAL DECRETO

De acuerdo con el parecer de Mi Consejo de Ministros;

En nombre de Mi Augusto Hijo el REY D. Alfonso XIII, y como REINA Regente del Reino,

Vengo en decretar lo siguiente:

TÍTULO PRIMERO (*)

Del gobierno y administración de las islas de Cuba y Puerto Rico.

Artículo 1.° El gobierno y administración de las islas de Cuba y Puerto Rico se regirá en adelante con arreglo á las siguientes disposiciones.

Art. 2.° El Gobierno de cada una de las islas se compondrá de un Parlamento insular, dividido en dos Cámaras, y de un Gobernador general representante de la Metrópoli, que ejercerá en nombre de ésta la Autoridad suprema.

TÍTULO II

De las Cámaras insulares.

Art. 3.° La facultad de legislar sobre los asuntos coloniales en la forma y en los términos marcados por las leyes corresponde á las Cámaras insulares con el Gobernador general.

Art. 4.° La representación insular se compone de dos Cuerpos iguales en facultades: la Cámara de Representantes y el Consejo de Administración.

TÍTULO III

Del Consejo de Administración.

Art. 5.° El Consejo se compone de 35 individuos, de los cuales 18 serán elegidos en la forma indicada en la ley Electoral, y los otros 17 serán designados por el Rey, y á su nombre por el Gobernador general, entre los que reunan las condiciones enumeradas en los artículos siguientes.

Art. 6.° Para tomar asiento en el Consejo de Administración se requiere: ser español; haber cumplido 35 años; haber nacido en la Isla ó llevar en ella cuatro años de residencia constante; no estar procesado criminalmente; hallarse en la plenitud de los derechos políticos; no tener sus bienes intervenidos; poseer con dos ó más años de antelación una renta propia anual de 4000 pesos, y no tener participación en contratos con el Gobierno central ó con el de la Isla.

Los accionistas de las Sociedades anónimas no se considerarán contratistas del Gobierno, aún cuando lo sean las sociedades á que pertenezcan.

Art. 7.° Podrán ser elegidos ó designados Consejeros de Administración los que, además de las condiciones señaladas en el artículo anterior, tengan alguna de las siguientes:

1.ª Ser ó haber sido Senador del Reino, ó tener las condiciones que para ejercer dicho cargo señala el título 3.° de la Constitución.

2.ª Haber desempeñado durante dos años alguno de los cargos que á continuación se expresan:

Presidente ó fiscal de la Audiencia pretorial de la Habana;

Rector de la Universidad de la misma;

Consejero de Administración del antiguo Consejo de este nombre;

Presidente de la Cámara de Comercio de la capital;

Presidente de la Sociedad Económica de Amigos del País de la Habana;

Presidente del Círculo de Hacendados.

Presidente de la Unión de Fabricantes de Tabacos;

Presidente de la Liga de Comerciantes, Industriales y Agricultores de Cuba

Decano del Ilustre Colegio de Abogados de la capital;

Alcalde de la Habana;

Presidente de su Diputación provincial durante dos bienios, ó Presidente de una Diputación provincial durante tres;

Deán de cualquiera de los dos Cabildos catedrales.

(*) NOTA EXPLICATIVA.

Para facilitar la inteligencia de este decreto, y evitar confusiones en el valor legal de los términos en él empleados, deben tenerse presentes las siguientes equivalencias.

Poder ejecutivo central.....	El Rey con su Consejo de Ministros.
Parlamento español.....	Las Cortes con el Rey.
Cámaras españolas.....	El Congreso y el Senado.
Gobierno central.....	El Consejo de Ministros del Reino.
Parlamento colonial.....	Las dos Cámaras con el Gobernador general.
Cámaras coloniales.....	El Consejo de Administración y la Cámara de Representantes.
Asambleas legislativas coloniales.....	El Consejo de Administración y la Cámara de Representantes.
Gobernador general en Consejo	El Gobernador general con los Secretarios del Despacho.
Instrucciones del Gobernador general.....	Las que haya recibido cuando fué nombrado para el cargo.
Estatuto	Disposición colonial de carácter legislativo.
Estatutos coloniales.....	La legislación colonial.
Legislación ó leyes generales.	La legislación ó leyes del Reino.

3.° Podrán ser igualmente elegidos ó designados los propietarios que figuren en la lista de los 50 mayores contribuyentes por territorial, ó en la de los 50 primeros por comercio, profesiones, industrias y artes.

Art 8.° El nombramiento de los Consejeros que la Corona designe se hará por decretos especiales, en los cuales se expresará siempre el título en que el nombramiento se funda.

Los Consejeros así nombrados ejercerán el cargo durante su vida.

Los Consejeros electivos se renovarán por mitad cada cinco años, y en totalidad cuando el Gobernador general disuelva el Consejo de Administración.

Art. 9.° Las condiciones necesarias para ser nombrado ó elegido Consejero de Administración podrán variarse por una ley del Reino, á petición ó propuesta de las Cámaras insulares.

Art. 10. Los Consejeros de Administración no podrán admitir empleo, ascenso que no sea de escala cerrada, título ni condecoración mientras estuviesen abiertas las sesiones; pero tanto el Gobierno local como el central, podrán conferirles dentro de sus respectivos empleos ó categorías las comisiones que exija el servicio público.

Exceptúase de lo dispuesto en los párrafos anteriores el cargo de Secretario del Despacho.

TÍTULO IV

De la Cámara de Representantes.

Art. 11. La Cámara de Representantes se compondrá de los que nombren las Juntas electorales en la forma que determina la ley y en la proporción de uno por cada 25000 habitantes.

Art. 12. Para ser elegido Representante se requiere ser español, de estado seglar, mayor de edad, gozar de todos los derechos civiles, ser nacido en la isla de Cuba ó llevar cuatro años de residencia en ella y no hallarse procesado criminalmente.

Art. 13. Los Representantes serán elegidos por cinco años, y podrán ser reelegidos indefinidamente.

La Cámara insular determinará con qué clase de funciones es incompatible el cargo de Representante y los casos de reelección.

Art. 14. Los Representantes á quienes el Gobierno central ó el local confieran pensión, empleo, ascenso que no sea de escala cerrada, comisión con sueldo, honores ó condecoraciones, cesarán en su cargo, sin necesidad de declaración alguna, si dentro de los quince días inmediatos á su nombramiento no participan á la Cámara la renuncia de la gracia.

Lo dispuesto en el párrafo anterior no comprende á los Representantes que fueren nombrados Secretarios del Despacho.

TÍTULO V

De la manera de funcionar las Cámaras insulares, y de las relaciones entre ambas.

Art. 15. Las Cámaras se reunen todos los años. Corresponde al Rey, y en su nombre al Gobernador general, convocarlas, suspender, cerrar sus sesiones y disolver separada ó simultáneamente la Cámara de Representantes y el Consejo de Administración, con la obligación de convocarlas de nuevo ó de renovarlas dentro de tres meses.

Art. 16. Cada uno de los Cuerpos Colegisladores formará su respectivo reglamento, y examinará, así las calidades de los individuos que la componen, como la legalidad de su elección.

Mientras la Cámara de Representantes y el Consejo de Administración no hayan aprobado su reglamento, se regirán por el del Congreso de los Diputados ó por el del Senado respectivamente.

Art. 17. Ambas Cámaras nombrarán su Presidente, Vicepresidentes y Secretarios.

Art. 18. No podrá estar reunido uno de los dos Cuerpos Colegisladores sin que también lo esté el otro.

Exceptúase el caso en que el Consejo de Administración ejerza funciones judiciales.

Art. 19. Las Cámaras insulares no pueden deliberar juntas ni en presencia del Gobernador general.

Sus sesiones serán públicas, aun cuando en los casos que exijan reserva podrá cada una celebrar sesión secreta.

Art. 20. Al Gobernador general, por medio de los Secretarios del Despacho corresponde, lo mismo que á cada una de las Cámaras, la iniciativa y proposición de los Estatutos coloniales

Art. 21. Los Estatutos coloniales sobre contribuciones y crédito público se presentarán primero á la Cámara de Representantes.

Art. 22. Las resoluciones en cada uno de los Cuerpos Colegisladores se toman por pluraridad de votos; pero para votar acuerdos de carácter legislativo se requiere la presencia de la mitad más uno del número total de individuos que lo componen. Bastará, sin embargo, para deliberar la presencia de la tercera parte de los miembros.

Art. 23. Para que una resolución se entienda votada por el Parlamento insular, será preciso que haya sido aprobada en iguales términos por la Cámara de Representantes y por el Consejo de Administración.

Art. 24. Los Estatutos coloniales, una vez aprobados en la forma prescrita en el artículo anterior, se presentarán al Gobernador general por las Mesas de las Cámaras respectivas para su sansión y promulgación.

Art. 25. Los Consejeros de Administración y los individuos de la Cámara de representantes son inviolables por sus opiniones y votos en el ejercicio de su cargo.

Art. 26. Los Consejeros de Administración no podrán ser procesados ni arrestados sin previa resolución del Consejo, sino cuando sean hallados *in fraganti*, ó cuando el Consejo no se halle reunido; pero en todo caso se dará cuenta á este Cuerpo lo más pronto posible para que determine lo que corresponda. Tampoco podrán los Representantes ser procesados ni arrestado durante las sesiones sin permiso de la Cámara, á no ser hallados *in fraganti*; pero en este caso y en el de ser procesados ó arrestados cuando estuvieren cerradas las Cámaras, se dará cuenta lo más pronto posible á la de Representantes para su conocimiento y resolución. La Audiencia pretorial de la Habana conocerá de las causas criminales contra los Consejeros y Representantes en los casos y en la forma que determinen los Estatutos coloniales.

Art. 27. Las garantías consignadas en el artículo anterior no se aplicarán á los casos en que el Consejero ó Representante se declare autor de artículos, libros, folletos ó impresos de cualquier clase en los cuales se invite ó provoque á la sedición militar, se injurie ó calumnie al Gobernador general ó se ataque á la integridad nacional.

Art. 28. Las relaciones entre las dos Cámaras se regularán, mientras otra cosa no se disponga, por la ley de Relaciones entre ambos Cuerpos Colegisladores de 19 de julio de 1837.

Art. 29. Además de la potestad legislativa colonial, corresponde á las Cámaras insulares:

1.° Recibir al Gobernador general el juramento de guardar la Constitución y las leyes que garantizan la autonomía en la colonia.

2.° Hacer efectiva la responsabilidad de los Secretarios del Despacho, los cuales, cuando sean acusados por la Cámara de Representantes serán juzgados por el Consejo de Administración.

3.° Dirigirse al Gobierno central por medio del Gobernador general para proponerle la derogación ó modificación de las leyes del Reino vigentes, para invitarle á presentar proyectos de ley sobre determinados asuntos ó para pedirles resoluciones de carácter ejecutivo en los que interesen á la colonia.

Art. 30. En todos los casos en que, á juicio del Gobernador general, los intereses nacionales puedan ser afectado por los Estatutos coloniales, precederá á la presentación de los proyectos de iniciativa ministerial su comunicación al Gobierno central.

Si el proyecto naciera de la iniciativa parlamentaria, el Gobierno colonial reclamará el aplazamiento de la discusión hasta que el Gobierno central haya manifestado su juicio.

En ambos casos, la correspondencia que mediare entre los dos Gobiernos se comunicará á las Cámaras y se publicará en la GACETA.

Art. 31. Los conflictos de jurisdicción entre las diferentes asambleas municipales, provinciales é insular, ó con el Poder ejucutivo, que por su índole no fueran referidos al Gobierno central, se someterán á los Tribunales de Justicia, con arreglo á las disposiciones del presente decreto.

TÍTULO VI

De las facultades del Parlamento insular.

Art. 32. Las Cámaras insulares tienen facultad para acordar sobre todos aquellos puntos que no hayan sido especial y taxativamente reservados á las Cortes del Reino ó al Gobierno central, según el presente decreto ó lo que en adelante se dispusiere, con arreglo á lo preceptuado en el artículo 2.° adicional.

En este sentido, y sin que la enumeración suponga limitación de sus facultades, les corresponde estatuir sobre cuantos asuntos y materias incumben á los Ministerios de Gracia y Justicia, Gobernación, Hacienda y Fomento, en sus tres aspectos de Obras públicas, Instrucción y Agricultura.

Les corresponde además el conocimiento privativo de todos aquellos asuntos de índole puramente local que afecten principalmente al territorio colonial; y en este sentido podrán estatuir sobre la organización administrativa, sobre división territorial, provincial, municipal ó judicial; sobre sanidad marítima y terrestre; sobre crédito público, Bancos y sistema monetario.

Estas facultades se entienden sin perjuicio de las que sobre las mismas materias correspondan, según las leyes, al Poder ejecutivo colonial.

Art. 33. Corresponde igualmente al Parlamento insular formar los reglamentos de aquellas leyes votadas por las Cortes del Reino que expresamente se le confien. En este sentido le compete muy especialmente, y podrá hacerlo desde su primera reunión, estatuir sobre el procedimiento electoral, formación del censo, calificación de los electores y manera de ejercitar el sufragio; pero sin que sus disposiciones puedan afectar al derecho del ciudadano, según le está reconocido por la ley Electoral.

Art. 34. Aun cuando las leyes relativas á la administración de justicia y de organización de los tribunales son de carácter general y obligatorias, por tanto, para la Colonia, el Parlamento colonial podrá con sujeción á ellas dictar las reglas ó proponer al Gobierno central las medidas que faciliten el ingreso, conservación y ascenso en los tribunales locales de los naturales de la Isla, ó de los que en ella ejerzan la profesión de Abogado.

Al Gobernador general en Consejo corresponden las facultades que, respecto al nombramiento de los funcionarios, subalternos y auxiliares del orden judicial y demás asuntos con la administración de justicia relacionados, ejerce hoy el Ministro de Ultramar, en cuanto á la isla de Cuba se refiere.

Art. 35. Es la facultad exclusiva del Parlamento insular la formación del presupuesto local, tanto de gastos como de ingresos, y del de ingresos necesario para cubrir la parte que á la Isla corresponde en el presupuesto nacional.

Al efecto, el Gobernador general presentará á las Cámaras, antes del mes de enero de cada año, el presupuesto correspondiente al ejercicio siguiente, dividido en dos partes: la primera contendrá los ingresos necesarios para cubrir los gastos de la soberanía; la segunda, los gastos é ingresos propios de la administración colonial.

Ninguna de las dos Cámaras podrá pasar á deliberar sobre el presupuesto colonial sin haber votado definitivamente la parte referente á los gastos de soberanía.

Art. 36. A las Cortes del Reino corresponde determinar cuales hayan de considerarse por su naturaleza gastos obligatorios inherentes á la soberanía, y fijar además cada tres años su cuantía y los ingresos necesarios para cubrirlos, salvo siempre el derecho de las mismas Cortes para alterar esta disposición.

Art. 37. La negociación de los tratados de comercio que afecten á la isla de Cuba, bien se deban á la iniciativa del Gobierno insular, bien á del Gobierno central, se llevará siempre por éste, auxiliado en ambos casos por Delegados especiales debidamente autorizados por el Gobierno colonial, cuya conformidad con lo convenido se hará constar al presentarlos á las Cortes del Reino.

Estos tratados, si por ellas fueren aprobados, se publicarán como leyes del Reino, y como tales regirán en el territorio insular.

Art. 38. Los tratados de comercio en cuya negociación no hubiere intervenido el Gobierno insular, se le comunicarán en cuanto fueren leyes del Reino, á fin de que pueda en un período de tres meses declarar si desea ó no adherirse á sus estipulaciones. En caso afirmativo, el Gobernador general lo publicará en la GACETA como Estatuto colonial.

Art. 39. Corresponderá también al Parlamento insular, la formación del Arancel y la designación de los derechos que hayan de pagar las mercancías, tanto á su importación en el territorio insular como á la exportación del mismo.

Art. 40. Como transición del régimen actual al que ahora se establece, y sin perjuicio de lo que puedan convenir en su día los dos Gobiernos, las relaciones mercantiles entre la Península y la isla de Cuba se regirán por las siguientes disposiciones:

1.ª Ningún derecho, tenga ó no carácter fiscal, y establézcase para la importación ó la exportación, podrá ser diferencial en perjuicio de la producción insular ó peninsular.

2.ª Se formará por los dos Gobiernos una lista de artículos de procedencia nacional directa, á los cuales se les señalará de común acuerdo, un derecho diferencial sobre sus similares de procedencia extranjera.

En otra lista análoga, formada por igual procedimiento, se determinarán los productos de procedencia insular directa que habrán de recibir trato privilegiado á su entrada en la Península y el tipo de los derechos diferenciales.

Este derecho diferencial en ningún caso excederá para ambas procedencias del 35 por 100.

Si en la formación de ambas listas y en la fijación de los derechos protectores hubiera conformidad entre los dos Gobiernos, las listas se considerarán definitivas y se pondrán desde luego en vigor. Si hubiere discrepancia se someterá la resolución del punto litigioso á una comisión de Diputados del Reino, formada por iguales partes de cubanos y peninsulares. Esta comisión nombrará su Presidente; si sobre su nombramiento no se llegara á un acuerdo, presidirá el de más edad. El Presidente tendrá voto de calidad.

3.ª Las tablas de valoraciones relativas á los artículos enumerados en las dos listas mencionadas en el número anterior se fijarán de común acuerdo, y se revisarán contradictoriamente cada dos años. Las modificaciones que en su vista proceda hacer en los derechos arancelarios se llevarán desde luego á cabo por los respectivos Gobiernos.

TÍTULO VII

Del Gobernador general.

Art. 41. El Gobierno supremo de la colonia se ejercerá por un Gobernador general, nombrado por el Rey, á propuesta del Consejo de Ministros. En ese concepto ejercerá como Vicerreal Patrono las facultades inherentes al patronato de Indias; tendrá el mando superior de todas las fuerzas armadas de mar y tierra existentes en la Isla; será Delegado de los Ministros de Estado, Guerra, Marina y Ultramar; le estarán subordinadas todas las demás Autoridades de la Isla, y será responsable de la conservación del orden y de la seguridad de la colonia.

El Gobernador general antes de hacerse cargo de su destino, prestará en manos del Rey el juramento de cumplirlo fiel y lealmente.

Art. 42. El Gobernador general, como representante de la Nación, ejercerá por sí, y auxiliado por su Secretaría, todas las funciones indicadas en el artículo anterior y las que puedan corresponderle como Delegado directo del Rey en los asuntos de carácter nacional.

Corresponde al Gobernador general como representante de la Metrópoli:

1.° Designar libremente los empleados de su Secretaría.

2.° Publicar, ejecutar y hacer que se ejecuten en la Isla las leyes, decretos, tratados, convenios internacionales y demás disposiciones emanadas del Poder legislativo, así como los decretos, Reales órdenes

y demás disposiciones emanadas del Poder ejecutivo y que le fueren comunicadas por los Ministerios de que es Delegado.

Cuando á su juicio y al de sus Secretarios del Despacho las resoluciones del Gobierno de S. M. pudieran causar daños á los intereses generales de la Nación ó á los especiales de la Isla, suspenderá su publicación y cumplimiento, dando cuenta de ello y de las causas que motiven su resolución al Ministerio respectivo.

3.° Ejercer la gracia de indulto á nombre del Rey, dentro de los límites que especialmente se le hayan señalado en sus instrucciones, y suspender las ejecuciones de pena capital cuando la gravedad de las circunstancias lo exigiesen, ó la urgencia no diere lugar á solicitar y obtener de S. M. el indulto, oyendo en todo caso el parecer de sus Secretarios del Despacho.

4.° Suspender las garantías expresadas en los artículos 4.°, 5.°, 6.° y 9.°, y párrafos primero, segundo y tercero del art. 13 de la Constitución del Estado, aplicar la legislación de orden público y tomar cuantas medidas crea necesarias para conservar la paz en el interior y la seguridad en el exterior del territorio que le está confiado, oyendo previamente al Consejo de Secretarios.

5.° Cuidar de que en la colonia se administre pronta y cumplidamente la justicia, que se administrará siempre en nombre del Rey.

6.° Comunicar directamente sobre negocios de política exterior con los Representantes, Agentes diplomáticos y Cónsules de España en América.

La correspondencia de este género se comunicará íntegra y simultáneamente al Ministerio de Estado.

Art. 43. Corresponde al Gobernador general, como Autoridad superior de la colonia y Jefe de su administración:

1.° Cuidar de que sean respetados y amparados los derechos, facultades y previlegios reconocidos ó que en adelante se reconozcan á la Administración colonial.

2.° Sansionar y publicar los acuerdos del Parlamento insular, los cuales le serán sometidos por el Presidente y Secretarios de las Cámaras respectivas.

Cuando el Gobernador general entienda que un acuerdo del Parlamento insular extralimita sus facultades, atenta á los derechos de los ciudadanos reconocidos en el tít. 1.° de la Constitución, ó á las garantías que para su ejercicio les han señalado las leyes, ó comprometen los intereses de la colonia ó del Estado, remitirá el acuerdo al Consejo de Ministros del Reino, el cual, en un período que no excederá de dos meses, lo aprobará ó devolverá al Gobernador general, exponiendo los motivos que tenga para oponerse á su sanción y promulgación. El Parlamento insular, en vista de estas razones, podrá volver á deliberar sobre el asunto y modificarlo, si así lo estima conveniente, sin necesidad de proposición especial.

Si transcurrieran dos meses sin que el Gobierno central hubiera manifestado su opinión sobre un acuerdo de las Cámaras que le hubiere sido trasmitido por el Gobernador general, éste procederá á su sanción y promulgación.

3.° Nombrar, suspender y separar á los empleados de la Administración colonial, á propuesta de los respectivos Secretarios del Despacho y con sujeción á las leyes.

4.° Nombrar y separar libremente los Secretarios del Despacho

Art. 44. Ningún mandato del Gobernador general, en su carácter de Representante y Jefe de la colonia, puede llevarse á efecto si no está refrendado por un Secretario del Despacho, quién por este solo hecho se hace de él responsable.

Art. 45. Las Secretarías del Despacho serán cincos:

Gracia y Justicia y Gobernación.
Hacienda.
Instrucción pública.
Obras públicas y Comunicaciones.
Agricultura, Industria y Comercio.

La presidencia corresponderá al Secretario que designe el Gobernador general, el cual podrá también nombrar un Presidente sin departamento determinado.

El aumento ó disminución de las Secretarías del Despacho, así como la determinación de los asuntos que á cada una correspondan, pertenece al Parlamento insular.

Art. 46. Los Secretarios del Despacho pueden ser individuos de la Cámara de Representantes ó del Consejo de Administración, y tomar parte en las discusiones de ambos Cuerpos; pero solo tendrán voto en aquel á que pertenezcan.

Art. 47. Los Secretarios del Despacho serán responsables de sus actos ante las Cámaras insulares.

Art. 48. El Gobernador general no podrá modicar ó revocar sus propias providencias cuando hubiesen sido confirmadas por el Gobierno, fueren declaratorias de derecho, hubieren servido de base á sentencia judicial ó contencioso-administrativa, ó versasen sobre su propia competencia.

Art. 49. El Gobernador general no podrá hacer entrega de su cargo al ausentarse de la Isla sin expreso mandato del Gobierno. En casos de ausencia de la capital que le impidieran despachar los asuntos ó de imposibilidad de ejercerlo, podrá designar la persona ó personas que hubieren de sustituirle, si el Gobierno no lo hubiese hecho de antemano, ó si en sus instrucciones no estuviera previsto el modo de hacer las sustitución.

Art. 50. El Tribunal Supremo conocerá en única instancia de las responsabilidades definidas en el Código penal que se imputaren al Gobernador general.

De las responsabilidades en que incurra conocerá el Consejo de Ministros.

Art. 51. El Gobernador general, á pesar de lo dispuesto en los diferentes artículos de este decreto, podrá obrar por sí y bajo su responsabilidad, sin audiencia de sus Secretarios del Despacho, en los siguientes casos:

1.° Cuando se trate de la remisión al Gobierno de los acuerdos de las Cámaras insulares, especialmente cuando entienda que en ellos se atenta á los derechos garantidos en el título 1.° de la Constitución de la Monarquía ó á las garantías que para su ejercicio han señalado las leyes.

2.° Cuando haya de ponerse en ejecución la ley de orden público, sobre todo si no hubiere tiempo ó manera de consultar al Gobierno central.

3.° Cuando se trate de la ejecución y cumplimiento de leyes del Reino sancionadas por S. M. y extensivas á todo el territorio español ó al de su Gobierno.

Una ley determinará el procedimiento y los medios de acción que en estos casos podrá emplear el Gobernador general.

TÍTULO VIII

Del régimen Municipal y Provincial.

Art. 52. La organización municipal es obligatoria en todo grupo de población superior á mil habitantes.

Los que no lleguen á esa cifra podrán organizar los servicios de carácter común por convenios especiales.

Todo municipio legalmente constituído estará facultado para estatuir sobre la instrucción pública, las vías terrestres, fluviales ó marítimas, la sanidad local, los presupuestos municipales, y para nombrar y separar libremente sus empleados.

Art. 53. Al frente de cada provincia habrá una Diputación, elegida en la forma que determinen los Estatutos coloniales y compuesta de un número de individuos proporcional á su población.

Art. 54. Las Diputaciones provinciales son autónomas en todo lo referente á la creación y dotación de establecimientos de instrucción pública, servicios de beneficencia, vías provinciales terrestres, fluviales ó marítimas, formación de sus presupuestos y nombramiento y separación de sus empleados.

Art. 55. Tanto los Municipios como las provincias podrán establecer libremente los ingresos necesarios para cubrir sus presupuestos, sin otra limitación que la de hacerlos compatibles con el sistema tributario general de la isla.

Los recursos del presupuesto provincial serán independientes de los del municipal.

Art. 56. Serán Alcaldes y Tenientes de Alcade los Concejales elegidos por los Ayuntamientos.

Art. 57. Los Alcaldes ejercerán sin limitación alguna las funciones activas de la Administración municipal, como ejecutores de los acuerdos de los Ayuntamientos y representantes suyos.

Art. 58. Tanto los Concejales como los Diputados provinciales serán responsables civilmente de los daños y perjuicios causados por sus actos.

Esta responsabilidad será exigible ante los Tribunales ordinarios.

Art. 59. Las Diputaciones provinciales nombrarán libremente sus Presidentes.

Art. 60. Las elecciones de Concejales y Diputados provinciales se harán de manera que las minorías tengan en ellas su legítima representación.

Art. 61. La ley Provincial y Municipal vigente en Cuba seguirá rigiendo en cuanto no se oponga á las disposiciones del presente decreto, mientras el Parlamento colonial no estutuya sobre estas materias.

Art. 62. Ningún Estatuto colonial podrá privar á los Municipios ni á las Diputaciones de las facultades reconocidas en los artículos anteriores.

TÍTULO IX

De las garantías para el cumplimiento de la Constitución colonial.

Art. 63. Todo ciudadano podrá acudir á los Tribunales cuando entienda que sus derechos han sido violados ó sus intereses perjudicados por los acuerdos de un Municipio ó de una Diputación provincial.

El Ministerio fiscal, si á ello fuere requerido por los agentes del Poder ejecutivo colonial, perseguirá igualmente ante los Tribunales las infracciones de ley ó las extralimitaciones de facultades cometidas por los Ayuntamientos y Diputaciones.

Art. 64. En los casos á que se refiere el artículo anterior, serán Tribunales competentes para las reclamaciones contra los Municipios, la Audiencia del territorio; y para las reclamaciones contra las Diputaciones provinciales, la Audiencia pretorial de la Habana.

Dichos Tribunales, cuando se trate de extralimitación de facultades de las referidas Corporaciones, resolverán en Tribunal pleno. De las resoluciones de las Audiencias territoriales podrá apelarse á la Audiencia pretorial de la Habana, y de las de ésta al Tribunal Supremo del Reino.

Art. 65. Las facultades concedidas en el artículo 62 á todo ciudadano se podrán también ejercer colectivamente por medio de la acción pública, nombrando al efecto apoderado ó representante.

Art. 66. Sin perjuicio de las facultades que le están otorgadas en el título 5.°, el Gobernador general, cuando lo estime conveniente, podrá acudir, en su calidad de Jefe del Poder ejecutivo colonial, ante la Audiencia pretorial de la Habana, para que ésta dirima los conflictos de jurisdicción entre el Poder ejecutivo colonial y sus Cámaras legislativas.

Art. 67. Si surgiera alguna cuestión de jurisdicción entre el Parlamento insular y el Gobernador general en su calidad de Representante del Poder central, que á petición del primero no fuera sometida al Consejo de Ministros del Reino, cada una de las dos partes podrá someterla á la resolución del Tribunal Supremo del Reino, que resolverá en pleno y en una sola instancia.

Art. 68. Las resoluciones que recaigan en los casos previstos en los artículos anteriores se publicarán en la *Colección de Estatutos coloniales* y formarán parte de la legislación insular

Art. 69. Todo acuerdo municipal que tenga por objeto la contratación de empréstitos ó Deudas municipales carecerá de fuerza ejecutiva, si no fuere aprobado por la mayoría de los vecinos, cuando así lo hubiere pedido la tercera parte de los Concejales.

Un Estatuto especial determinará la cuantía del empréstito ó de la deuda que, según el número de vecinos que compongan el Ayuntamiento, será necesaria para que tenga lugar el *referendum*.

Art. 70. Todas las disposiciones de carácter legal que emanen del Parlamento colonial ó de los Tribunales, se compilarán con el nombre de Estatutos coloniales en una colección legislativa, cuya formación y publicación estará confiada al Gobernador general como Jefe del Poder ejecutivo colonial.

ARTÍCULOS ADICIONALES

Artículo 1.° Mientras no se hayan publicado en debida forma Estatutos coloniales, se entenderán aplicables las leyes del Reino á todos los asuntos reservados á la competencia del Gobierno insular.

Art. 2.° Una vez aprobada por las Cortes del Reino la presente Constitución para las islas de Cuba y Puerto Rico, no podrá modificarse sino en virtud de una ley y á petición del Parlamento insular.

Art. 3.° Las disposiciones del presente decreto se aplicarán íntegramente á la isla de Puerto Rico; pero á fin de acomodarlas á su población y nomenclatura, se publicarán en decreto especial para dicha Isla.

Art. 4.° Los contratos referentes á servicios públicos comunes á las Antillas y á la Península que estén en curso de ejecución continuarán en la forma actual hasta su terminación, y se regirán en un todo por las condiciones del contrato.

Sobre los que aun no hubieran empezado á ejecutarse, pero estuvieran ya convenidos, el Gobernador general consultará al Gobierno central ó á las Cámaras coloniales en su caso, resolviéndose de común acuerdo entre los dos Gobiernos la forma definitiva en que hubieren de celebrarse.

ARTÍCULOS TRANSITORIOS.

Artículo 1.° Á fin de llevar á cabo con la mayor rapidez posible y con la menor interrupción de los servicios la transición del sistema actual al que se crea por este decreto, el Gobernador general, cuando crea llegado el momento oportuno, previa consulta al Gobierno central, nombrará los Secretarios del Despacho á que se refiere el artículo 45, y con ellos conducirá el Gobierno interior de la isla de Cuba hasta la constitución de las Cámaras insulares. Los Secretarios nombrados cesarán en sus cargos al prestar el Gobernador general juramento ante las Cámaras insulares, procediendo el Gobernador acto continuo á sustituirlos con los que á su juicio representen de la manera más completa las mayorías de la Cámara Representantes y del Consejo de Administración.

Art. 2.° La manera de hacer frente á los gastos que origine la deuda que en la actualidad pesa sobre los Tesoros español y cubano, y la que se hubiere contraído hasta la terminación de la guerra, será objeto de una ley, en la cual se determinará la parte que corresponda á cada uno de los dos Tesoros y los medios especiales para satisfacer sus intereses y amortización y reintegrar, en su caso, el capital.

Hasta que las Cortes del Reino resuelvan este punto, no se alterarán las condiciones con que hayan sido contratadas las referidas deudas, ni en el pago de los intereses y amortización, ni en las garantías de que disfruten, ni en la forma con que hoy se hacen los pagos.

Una vez hecha la distribución por las Cortes, corresponderá á cada uno de los Tesoros el pago de la parte que respectivamente se le haya asignado.

En ninguna eventualidad dejarán de ser escrupulosamente respetados los compromisos contraídos con los acreedores, bajo la fe de la Nación española.

Dado en Palacio á veinticinco de Noviembre de mil ochocientos noventa y siete.

MARÍA CRISTINA.

El Presidente del Consejo de Ministros,

Práxedes Mateo Sagasta.

EXPOSICIÓN.

SEÑORA: En los momentos en que se da á las islas de Cuba y Puerto Rico una Constitución autonómica, que confía á sus propias iniciativas la dirección y el gobierno de los intereses locales, importa sobremanera afirmar la unidad constitucional, como base firmísima de la integridad del territorio.

Aspiración de todos los partidos liberales, satisfecha en principio en el decreto de 2 de abril de 1881,

no ha llegado, sin embargo, á realizarse en los términos á que tienen derecho los habitantes de las Antillas, que con frecuencia se quejan y lamentan de desigualdades irritantes que por sí solas bastan para entorpecer, cuando no para impedir por completo el uso de las libertades constitucionales. Estas, en efecto, tal como aparecen en el Código fundamental, son declaraciones de derechos y garantías que encuentran después su sanción y desenvolvimiento en una serie de leyes orgánicas, complementarias de la Constitución, como lo dice su mismo artículo 14, al confiar á leyes especiales «las reglas que han de asegurar á los españoles el respeto recíproco de los derechos que aquélla les reconoce, determinando asimismo la responsabilidad civil y penal á que han de quedar sujetos, según los casos, los funcionarios de todas clases que atenten á los derechos enumerados en su título I.»

De suerte que si por disposiciones arbitrarias contra las cuales no cabe recurso, por penalidades impuestas en los bandos de los Gobernadores generales, ó por omisiones de leyes procesales, el ciudadano puede ser cohibido, vejado y hasta deportado á territorios lejanos, no le es posible ejercitar, ni el derecho de hablar, pensar y escribir, ni la libertad de enseñanza, ni la tolerancia religiosa, ni cabe practicar el derecho de reunión y el de asociación.

Y sin embargo, en su ejercicio regular y tranquilo se funda todo el derecho moderno, por lo cual donde quiera que se coarte, cesa la igualdad ante la ley, y con ésta desaparece la unidad constitucional, y se engendran aquellos torcidos sentimientos que llevan hasta atentar á la integridad del territorio. El lazo geográfico con todos los encantos y atractivos que ofrece, no puede hacer olvidar aquella otra aspiración más profunda y más esencial, como que arranca de la misma naturaleza humana.

Es, pues, acto de buena política, y en todo caso acto de rigurosa justicia hacer cuanto esté en manos del Gobierno para que la Constitución se aplique desde ahora en toda su integridad en el territorio antillano, borrando las huellas de la desigualdad, y previniendo por una revisión completa de la legislación, que por confusiones ó errores, pueda haber españoles á quienes no alcance la acción protectora de las leyes.

No es seguramente otro el sentido del artículo 89 de la Constitución; su previsión al dejar á la elección de los Gobiernos el momento y la manera de aplicar las leyes á las islas de Cuba y Puerto Rico, más que autoriza, impone al Gobierno el deber de publicar este decreto en el momento mismo en el cual somete á la aprobación de V. M. aquella otra disposición que va á dar á nuestros hermanos de las Antillas el derecho de gobernarse á sí propios; que no se apreciaría en cuanto vale esa medida, si en las regiones del poder central dominaran la suspicacia y el recelo, tras de los cuales viene la arbitrariedad. Puesto que en la Península hemos creído que todas las funciones gubernamentales eran posibles dentro de la Constitución del Estado y con sujeción á las leyes para su desenvolvimiento dictadas; puesto que aquí tampoco nos faltan ejemplos de apelaciones á la fuerza; para las cuales, sin embargo, consideramos suficiente la ley de Orden público, faltaría la lógica, y por consiguiente la autoridad necesaria para gobernar con prestigio, si no se proclamase como primera y significativa parte de la transformación que damos á nuestro régimen colonial la unidad constitucional, lazo de unión de todos los españoles, dentro del cual el libre gobierno local de aquellos preciados territorios restablecerá la confianza en la madre patria y será prenda segura de la sinceridad con que quiere hacerles amable su soberanía.

Fundado en estas razones, el Gobierno tiene la honra de someter á la aprobación de V. M. el adjunto proyecto de decreto.

Madrid, 25 de noviembre de 1897.

SEÑORA:

Á L. R. P. de V. M.,

Práxedes Mateo Sagasta.

REAL DECRETO.

De acuerdo con el parecer de Mi Consejo de Ministros, y en virtud de la autorización que concede á Mi Gobierno el artículo 89 de la Constitución,

En nombre de Mi Augusto Hijo el Rey D. Alfonso XIII, y como Reina Regente del Reino,

Vengo en decretar lo siguiente:

Artículo 1.° Los españoles residentes en las Antillas gozarán, en los mismos términos que los residentes en la Península, de los derechos consignados en el título 1.° de la Constitución de la Monarquía y de las garantías con que rodean su ejercicio las leyes del Reino.

A este fin, y con arreglo al artículo 89 de la Constitución, las leyes complementarias de sus preceptos, y en especial la de Enjuiciamiento criminal, la de Orden público, la de Expropiación forzosa, la de Instrucción pública y las de Imprenta, Reunión y asociación y el Código de Justicia militar, regirán en todo su vigor en las islas de Cuba y Puerto Rico, de suerte que pueda cumplirse en toda su integridad el artículo 14 de la Constitución.

Art. 2.° En tiempo de guerra regirá en las Antillas la ley de Orden público con la restricción y en los términos establecidos en el artículo 17 de la Constitución.

Art. 3.° El Ministerio de Ultramar, oyendo al Consejo de Estado, revisará la legislación de las Antillas y los bandos publicados por los Gobernadores generales desde la promulgación de la Constitución, y publicará después los resultados de esa revisión, á fin de que en adelante ni en la gobernación ni en la administración de justicia en aquellos territorios puedan por error ó negligencia invocarse ni aplicarse disposiciones que estuvieran en contradicción con la letra y el espíritu de la Constitución de la Monarquía española.

Dado en Palacio á veinticinco de noviembre de mil ochocientos noventa y siete.

MARÍA CRISTINA.

El Presidente del Consejo de Ministros,

Práxedes Mateo Sagasta.

EXPOSICIÓN.

SEÑORA: Complemento del decreto que iguala á los españoles en el uso y disfrute de los derechos constitucionales y preparación indispensable para la organización del Gobierno local en las Antillas es la aplicación á aquellos territorios de la ley del Sufragio electoral que rige en la Península.

Para lograrlo, hubiera podido el Gobierno limitarse á su reproducción pura y simple: pero la dificultad de hacerlo aparecerá en cuanto se recuerde que para mayor garantía del derecho electoral, las Cortes del Reino, procediendo con previsión, y en su deseo de evitar que por disposiciones reglamentarias, al parecer sin importancia, se pudiera lesionar derecho que tanto valor tiene en la vida pública, quisieron incluir dentro de la ley hasta las últimas y más minuciosas disposiciones que regulasen su ejercicio.

Por eso hay en ella dos clases de disposiciones: una que comprende la definición del derecho y la garantía de la emisión del voto, y otra que establece las condiciones, por decirlo así, preparativas de aquellos objetos. De aquí la necesidad de distinguir entre estas dos partes de la ley.

La primera tiene indudablemente un carácter que sólo cede en importancia á los preceptos constitucionales, y por tanto, debe, al igual de éstos, ponerse á cubierto de los cambios ó modificaciones á que se halla frecuentemente expuesta la legislación.

De ella sólo toca decir al Gobierno, que puesto que la hemos reconocido buena y conveniente para la Península, es obligación ineludible extenderla y aplicarla á Ultramar.

No sucede, sin embargo, lo mismo en lo que se refiere al procedimiento.

En cuanto reviste ese carácter en el ejercicio del sufragio, en la formación del Censo, en la manera de emitir el voto, en los preliminares de la elección, en la formación de los Colegios, hasta en la calificación de los electores, hay puntos de vista tan diversos, según las tradiciones, la geografía y los componentes de un pueblo, que sería más que ilógico, contraproducente, encerrar en el molde peninsular el procedimiento electoral de las Antillas, sobre todo cuando la creación de un Gobierno propio y de organismos parlamentarios que han de ser la expresión de la voluntad del pueblo reclaman se les confíe y entregue la reglamentación de cuanto se refiere al ejercicio y garantía del derecho electoral.

Atendiendo á esas valiosas consideraciones, ha creído el Gobierno que, después de separar cuanto á la definición y reconocimiento del derecho del sufragio se refiere de la que pudiera llamarse la Constitución de las islas de Cuba y Puerto Rico, á fin de que en todo caso pueda modificarse por una ley, debía confiar todas las disposiciones reglamentarias, largas en número y complicadas en su desenvolvimiento, al Parlamento insular, seguro de que nadie reune más condiciones de acierto para adaptarlas á las costumbres y á los caracteres de la población.

La flexibilidad que así adquiere el procedimiento electoral le permitirá sin duda identificarse con las condiciones de aquellos habitantes, y hacer práctico y fructuoso el ejercicio del sufragio, ya que nadie ha de tener más profundo interés en su éxito que los mismos que por él han de gobernarse.

Fundado en estas consideraciones, el Gobierno tiene la honra de someter á la aprobación de V. M. el adjunto proyecto de decreto.

Madrid, 25 de noviembre de 1897.

SEÑORA:

Á L. R. P. de V. M.

Práxedes Mateo Sagasta.

REAL DECRETO

De acuerdo con el parecer de Mi Consejo de Ministros y en virtud de la autorización que concede á Mi Gobierno el artículo 89 de la Constitución de la Monarquía;

En nombre de Mi Augusto Hijo el Rey D. Alfonso XIII, y como Reina Regente del Reino,

Vengo en decretar lo siguiente:

Artículo 1.° Se promulgará y observará en las islas de Cuba y Puerto Rico la ley Electoral de 26 de junio de 1890, con las modificaciones que para adaptarla á las condiciones de aquellos territorios se han introducido en el texto que se publica á continuación de este decreto.

Art. 2.° Por el Ministerio de Ultramar se dictarán el reglamento y las demás disposiciones necesarias para la ejecución del presente decreto, del cual el Gobierno dará cuenta á las Cortes.

Dado en Palacio á veinticinco de noviembre de mil ochocientos noventa y siete.

MARIA CRISTINA.

El Presidente del Consejo de Ministros,

Práxedes Mateo Sagasta.

ADAPTACION
DE LA
LEY ELECTORAL DE 26 DE JUNIO DE 1890
Á las islas de Cuba y Puerto Rico.

TITULO PRIMERO

DISPOSICIONES GENERALES PARA LAS ELECCIONES

CAPÍTULO PRIMERO

Del Derecho Electoral.

Artículo 1.° Son electores en las islas de Cuba y Puerto Rico todos los españoles varones, mayores de veinticinco años; que se hallen en el pleno goce de sus derechos civiles y sean vecinos de un Municipio, en el que cuenten dos años al menos de residencia.

Las clases é individuos de tropa que sirvan en los Ejércitos de mar ó tierra, no podrán emitir su voto mientras se hallen en las filas.

Queda establecida la misma suspensión respecto de los que se encuentren en condiciones semejantes dentro de otros Cuerpos ó Institutos armados dependientes del Estado, la Provincia y el Municipio.

Art. 2.° No pueden ser Electores:

1.° Los que por sentencia firme hayan sido condenados á las penas de inhabilitación perpetua para derechos políticos ó cargos públicos, aunque hubiesen sido indultados, á no haber obtenido antes reabilitación personal por medio de una ley.

2.° Los que por sentencia firme hayan sido condenados á pena aflictiva, si no hubieren obtenido rehabilitación dos años, por lo menos, antes de su inscripción en el censo.

3.° Los que, habiendo sido condenados á otras penas por sentencia firme, no acreditaren haberlas cumplido.

4.° Los concursados ó quebrados no reabilitados conforme á la ley, y que no acrediten documentalmente haber cumplido todas sus obligaciones.

5.° Los deudores á fondos públicos como segundos contribuyentes.

6.° Los que se hallen acogidos en establecimientos benéficos, ó estén á su instancia autorizados administrativamente para implorar la caridad pública.

CAPÍTULO II

Del Censo Electoral.

Art. 3.° Para ejercer el derecho electoral es indispensable estar inscrito en el censo electoral, que es el registro en donde constan el nombre y los apellidos paterno y materno, si los tuvieren, de los ciudadanos españoles calificados de electores.

El censo es permanente, y no será modificado sino por virtud de la revisión anual.

Art. 4.° La formación, revisión, custodia é inspección del censo estarán á cargo, según las atribuciones respectivas, de la Junta central establecida por la ley de 26 de junio de 1890, de Juntas provinciales y de Juntas municipales, que se denominarán del *Censo electoral*.

Las Juntas provinciales residirán en las capitales de cada provincia, y las municipales en cada Municipio. Todas ellas tendrán carácter permanente.

Las Juntas provinciales serán presididas por los Magistrados de la Audiencia de la respectiva provincia que designe el Presidente de la territorial á que aquélla corresponda, y las municipales por los Jueces de primera instancia, y en su defecto, por los funcionarios públicos que para este objeto elija el Presidente de la Audiencia de la provincia.

El número de Vocales de las Juntas provinciales será de quince, y se necesitará para deliberar y tomar acuerdo la concurrencia de nueve Vocales.

Son Vocales natos de las Juntas provinciales:

1.° El Presidente y el Vicepresidente de la Diputación respectiva.

2.° El ex Presidente más antiguo de la misma Diputación, avecindado en la provincia.

3.° Cuatro contribuyentes elegidos á la suerte entre los que paguen la primera cuota por contribución territorial y sean vecinos de la provincia.

4.° Cuatro contribuyentes elegidos á la suerte entre los que paguen la primera cuota por contribución industrial y sean vecinos de la provincia.

5.° Cuatro vecinos de la misma que acrediten por medio de título oficial su capacidad profesional ó académica.

Serán suplentes de los contribuyentes, ocho por contribución territorial y otros ocho por contribución industrial, avecindados en la provincia, que paguen las cuotas mayores; y de los vecinos con título oficial, los que reunan las mismas condiciones exigidas á éstos. Unos y otros serán elegidos por la suerte.

Los sorteos de contribuyentes, capacidades y sus suplentes, se verificarán en acto público ante la Audiencia de la respectiva provincia por el Presidente de la misma.

Son Vocales natos de las Juntas municipales:

1.° El Alcalde y el Síndico del Ayuntamiento.

2.° El Juez y el Fiscal municipal.

3.° Los ex Alcaldes, vecinos del Ayuntamiento.

4.° Cuatro mayores contribuyentes por territorial y cuatro por industrial, también vecino del Ayuntamiento.

5.° Cuatro vecinos del mismo que acrediten por

medio de título oficial su capacidad profesional ó académica.

Los contribuyentes y capacidades serán elegidos á la suerte por el Presidente de la Junta municipal en en sesión pública ante el Ayuntamiento respectivo, en la forma dispuesta para las Juntas provinciales.

En el mismo acto, y de igual modo, serán elegidos los suplentes.

Las Juntas municipales no podrán deliberar ni tomar acuerdos sin la concurrencia de doce Vocales, por lo menos.

Serán Secretarios de las Juntas provinciales los Secretarios de las Audiencias, y de las municipales los Secretarios de los Juzgados de primera instancia, y á falta de éstos, los de los municipales.

Los Secretarios no tendrán voz ni voto, y serán auxiliados por los empleados de las respectivas Secretarías.

Para todas las sesiones que las Juntas deban celebrar, el Presidente respectivo convocará á los Vocales natos y á los suplentes que considere necesarios. Si á pesar de ésto no se reuniese número suficiente, la sesión se celebrará al día siguiente, previa convocatoria de los suplentes que residan en la capital, y con el número de los que asistan.

CAPÍTULO III

De las votaciones.

Art. 5.° En cada Sección electoral habrá una Mesa encargada de presidir la votación, compuesta de un Presidente y de los interventores nombrados por la Junta del Censo y por los candidatos que, teniendo derecho á designarlos, hagan uso del mismo.

Esta Junta será la provincial cuando se trate de elecciones de Diputados á Cortes, de Representantes ó de Diputados provinciales, y la municipal cuando haya de procederse á la elección de Concejales.

Art. 6.° En toda convocatoria para elección general ó parcial se señalará un sólo día, que será siempre domingo para las votaciones.

La votación se hará simultáneamente en todas las Secciones en el día designado, comenzando á las ocho en punto de la mañana, y continuando sin interrupción hasta las cuatro de la tarde, en que se declarará definitivamente cerrada, y comenzará el recuento de votos.

Art. 7.° La votación será secreta por papeletas, y se hará en la forma que los reglamentos determinen.

Art. 8.° No podrá estar á la puerta del Colegio electoral en ningún caso la fuerza de instituto armado, ni podrá penetrar en él sino por causa de perturbación del orden público y requerida por el Presidente.

TITULO II

DISPOSICIONES ESPECIALES PARA LAS ELECCIONES

CAPÍTULO PRIMERO

De las elecciones de Senadores.

Art. 9.° Son elegibles para Senadores los españoles que reúnan las condiciones que determina el artículo 22 de la Constitución de la Monarquía, siempre que no estén comprendidos en alguno de los casos de incapacidad, ó incompatibilidad que establece la ley.

Art. 10. Las elecciones de Senadores se harán con arreglo á lo dispuesto en las leyes de 8 de Febrero de 1877 y 9 de enero de 1879.

Los Senadores, después de admitidos por el Senado, representan individual y colectivamente á la Nación.

CAPÍTULO II

De las elecciones de Diputados á Cortes.

Art. 11. Son elegibles para el cargo de Diputados á Cortes todos los españoles varones de estado seglar, mayores de vinticinco años, que gocen todos los derechos civiles, siempre que no estén comprendidos en alguno de los casos de incapacidad ó incompatibilidad que establece la ley.

Art. 12. Los Diputados á Cortes serán elegidos directamente por los electores de los distritos electorales, con sujeción á esta ley y á los reglamentos; pero después de nombrados y admitidos por el Congreso, representan individual y colectivamente á la Nación.

Art. 13. Son aplicables á los Diputados á Cortes por las islas de Cuba y Puerto Rico las disposiciones de la ley Electoral de la Península de 26 de junio de 1890, que se refieren especialmente á la elección y al ejercicio del cargo de Diputados á Cortes. Al efecto, se insertan los artículos correspondientes, como apéndice de la presente ley, en la forma en que han de ser observados en concordancia con ésta.

CAPÍTULO III

De las elecciones de Consejeros de Administración, Representantes, Diputados provinciales y Concejales.

Art. 14. Pueden ser Consejeros de Administración y Respresentantes los españoles que reúnan las condiciones exigidas para estos cargos en la Constitución de las islas de Cuba y Puerto Rico.

Art. 15. Pueden ser Diputados provinciales los españoles que tengan aptitud para serlo á Cortes y sean naturales de la provincia ó lleven cuatro años consecutivos de residencia dentro de la misma.

Art. 16. Pueden ser elegidos Concejales de Ayuntamientos mayores de 100 vecinos los electores que, además de llevar cuatro años por lo menos de residencia fija en el término municipal, paguen una cuota directa de las que comprendan en la localidad los dos primeros tercios de las listas de contribuyentes por el impuesto territorial y por el de subsidio industrial y de comercio; y en los Municipios menores de 1,000 y mayores de 400 vecinos, los que satisfagan cuotas comprendidas en los primeros cuatro quintos de las referidas listas. En los Ayuntamientos que no excedan de 400 vecinos, serán elegibles todos los electores.

Serán además incluidos en el número de los elegibles todos los que contribuyan con cuota igual á las más baja que en cada término municipal corresponda pagar para serlo con arreglo al párrafo anterior.

Los que siendo vecinos paguen alguna cuota de contribución y acrediten por medio de título oficial su capacidad profesional ó académica, serán también elegibles.

Igualmente lo serán los que acrediten que sufren descuento en los haberes que perciben de fondos generales, provinciales ó municipales, siempre que el importe del descuento se halle comprendido en la proporción marcada anteriormente para los elegibles en las poblaciones de 1,000 y 400 vecinos respectivamente.

Se estimará la cuota acumulando las que satisfagan los contribuyentes dentro y fuera del pueblo por impuesto directo y por recargos municipales. Para computar la contribución á los electores y á los elegibles, se considerarán bienes propios; respecto de los maridos, los de sus mujeres, mientras subsista la sociedad conyugal; respecto de los padres, los de sus hijos que legítimamente administren; respecto de los hijos, los suyos propios cuyo usufructo no tuvieren por cualquier concepto.

Art. 17. No podrán ser elegidos para ninguno de los cargos á que se refieren los tres artículos anteriores los que se hallen comprendidos en alguno de los casos de incapacidad ó incompatibilidad que establezcan las leyes respectivas.

Art. 18. Serán electores para Consejeros de Administración los que determina el artículo 25 de la ley Electoral de Senadores de la Península. Las disposiciones del capítulo 4.° de dicha ley se aplicarán á la formación de las listas de electores y á la elección de los Consejeros de Administración, en la forma que determinen los reglamentos.

Art. 19. En los distritos en que deba elegirse un Representante, un Diputado provincial ó un Concejal, cada elector no podrá dar válidamente su voto más que á una persona; cuando se elijan más de uno, hasta cuatro, tendrá derecho á votar á uno menos del número de los que hayan de elegirse en su respectivo distrito; á dos menos si se eligieran más de cuatro, y á tres menos si se eligieran más de ocho.

Las demás disposiciones relativas al procedimiento electoral serán las que se determinen en las leyes orgánicas respectivas y en los reglamentos.

TITULO III

DE LA SANCIÓN PENAL

CAPÍTULO PRIMERO

De los delitos.

Art. 20. La falsedad cometida en documentos referentes á las disposiciones de esta ley, de cualquiera de los medios señalados en el artículo 310 del Código penal de Cuba y Puerto Rico, constituye delito de falsedad en materia electoral, que será castigado con las penas establecidas en dicho artículo, ó en el siguiente, según el carácter de las personas responsables.

Igual delito constituirá, y con las mismas penas será castigada, cualquiera omisión intencionada en los documentos á que se refiere el párrafo anterior, que pueda afectar al resultado de la elección.

Art. 21. Los Tribunales, sin embargo, rebajarán en uno ó dos grados las penas, imponiéndolas en el que estimen conveniente, según las circunstancias específicas del caso, el escándalo ó alarma que hubieren producido, y siempre que no resulte conexidad con otros delitos penados por el Código.

Art. 22. Son documentos oficiales, para los efectos de esta ley, el censo y sus copias autorizadas, las actas, listas, certificaciones y cuantos emanen de persona ó quien la ley encargue su expedición, ya tenga por objeto facilitar ó acreditar el ejercicio del derecho electoral ó su resultado, ó garantir la regularidad de procedimiento.

Art. 23. Serán castigados con las penas de arresto mayor y multa de 500 á 5,000 pesetas, cuando las disposiciones generales del Código penal no señalen otra mayor, los funcionarios públicos que, por dejar de cumplir íntegra y estrictamente los deberes impuestos por esta ley ó por las disposiciones que se dicten para su ejecución, contribuyan á alguno de los actos ú omisiones siguientes:

1.° A que las listas de electores, ya sean preparatorias ó definitivas, no se formen con exactitud, ó no estén expuestas al público durante el tiempo y en el lugar correspondientes.

2.° A cualquiera alteración de los días, horas ó lugar en que deba celebrarse cualquier acto, ó á que su modo de designación pueda inducir á error.

3.° A manejos fraudulentos en las operaciones relacionadas con la formación del Censo, constitución de las Juntas y Colegios electorales, votación, acuerdos ó escrutinios y propuestas de candidatos.

4.° A que no se extiendan con la exactitud y expresión debidas, ó no firmen oportunamente y por todos los que deban hacerlo, ó á que no tengan el curso debido las actas ó documentos electorales

5.° A cambiar ó alterar la papeleta de votación que el elector entregue al ejercitar su derecho, ó á ocultarla de la vista del público antes de depositarse en la urna.

6.° A que se impida ó dificulte á los electores, candidatos ó Notarios, que examinen por sí la urna antes de comenzar la votación, y al hacerse el escrutinio, las papeletas que de ella se extraigan.

7.° A la anotación intencionadamente inexacta, de manera que oscurezca la verdad, de los nombres de los votantes en cualquier acto.

8.° Al recuento inexacto de votos en acuerdos referentes á la formación ó rectificación del censo ó á operaciones electorales, y á la lectura también inexacta de papeletas.

9.° A descubrir el secreto del voto ó de la elección con el fin de influir en su resultado.

10. A que se haga proclamación indebida de persona.

11. A que se falte á la verdad en manifestación verbal que deba hacerse en acto electoral, ó que por cualquier acción ú omisión se tienda á evitar ó dificultar el oportuno conocimiento de la verdad electoral.

12. A suspender, sin causa grave y suficiente, cualquier acto electoral.

Art. 24. Los particulares que contribuyan directamente á la comisión de alguno de los delitos enumerados en el artículo anterior, serán castigados con la pena de arresto mayor en su grado mínimo, cuando al hecho que ejecutaren ó á la omisión en que incurrieren no corresponda pena más grave con arreglo al Código penal.

Art. 25. Todo acto, omisión ó manifestación contrarios á esta ley ó á disposiciones de carácter general dictadas para su ejecución, que, no comprendido en los artículos anteriores, tenga por objeto cohibir ó ejercer presión sobre los electores para que usen de su derecho ó le abandonen contra su voluntad, constituye delito de coacción electoral, y si no estuviere previsto y penado en el Código penal con sanción más grave, será castigado con la multa de 125 á 2.500 pesetas.

Art. 26. Cometen además delito de coacción electoral, aunque no conste ni aparezca la intención de cohibir ó ejercer presión sobre los electores, é incurren en la sanción del artículo anterior:

1.° Las Autoridades civiles, militares ó eclesiástica que prevengan ó recomienden á los electores que den ó nieguen su voto á persona determinada, y los que haciendo uso de medios ó de agentes oficiales, ó autorizándose con timbres, sobres, sellos ó membretes que puedan tener este carácter, recomienden ó reprueben candidaturas determinadas.

2.° Los funcionarios públicos que promuevan ó cursen expedientes gubernativos de denuncias, multas, atrasos de cuentas, propios, montes, pósitos ó cualquier otro ramo de la Administración, desde la convocatoria hasta que se haya terminado la elección.

3.° Los funcionarios, desde Ministro de la Corona inclusive, que hagan nombramientos, separaciones, traslaciones ó suspensiones de empleados, agentes ó dependientes de cualquier ramo de la Administración central, provincial ó municipal, en el período desde la convocatoria hasta después de determinado el escrutinio general, siempre que tales actos no estén fundados en causa legítima y afecten de alguna manera á la sección, colegio, distrito, partido judicial ó provincia donde se verifique la elección.

La causa de la separación, traslación ó suspensión se expresarán precisamente en la orden, que se publicará en la *Gaceta de Madrid* y en las de la Habana ó Puerto Rico, si emanase de la Administración central y en el *Boletín oficial* de la provincia respectiva, si fuese dictada por la provincial ó municipal. Omitidas estas formalidades, se considerá realizada sin causa.

Se exceptúan de estos requisitos los Reales decretos ú órdenes relativos á los Gobernadores civiles de las provincias y á los Jefes militares.

Las separaciones, traslaciones ó suspensiones acordadas y no notificadas á los interesados antes del período electoral, no podrá llevarse á cabo dur ante dicho período, sino en los casos y en la forma excepcionales definidos en este número.

Art. 27. Incurrirán también en las penas señalada en el art 25, cuando no les fueren aplicables otra más graves, con arreglo á lo dispuesto en el Código penal:

1.° Los que por medio de promesa, dádiva, ó remuneración soliciten directa ó indirectamente, en favor ó en contra de cualquier candidato, el voto de algún elector.

2.° Los que exciten á la embriaguez á los electores para obtener ó asegurar su adhesión.

3.° El que vote dos ó más veces en una elección tome nombre ajeno para votar, ó lo haga estando incapacitado ó teniendo suspendido el ejercicio de tal derecho.

4.° El que sabiendas consienta sin protesta, pudiendo hacerla, la emisión del voto en los casos del número anterior.

5.° El que niegue ó retarde la admisión, curso y resolución de las protestas ó reclamaciones de los electores, ó no dé resguardo de ellas al que las hiciere.

6.° El que omita los anuncios y pregones de notificación que ordene la ley, ó no expida ó no mande expedir tan pronto como ésta dispone certificación solicitada de actos electorales.

7.° El que de cualquier otro modo no previsto

en esta ley impida ó dificulte que un elector ejercite sus derechos ó cumpla sus deberes.

8.° El que suscite maliciosamente ó mantenga sin motivo racional dudas sobre la identidad de una persona ó la entidad de sus derechos.

Art. 28. Los funcionarios públicos que hagan salir de su domicilio ó residencia, ó permanecer fuera de ellos, aunque sea con motivo de servicio público, á un elector en el día de la elección ó en el que pueda y quiera efectuar un acto electoral, ó los que le detuviesen, privándole en casos iguales de su libertad, además de las penas señaladas repectivamente en el segundo párrafo del art. 210 y en el 221 del Código penal, incurrirán en la de inhabilitación absoluta perpetua.

Art. 29. Los que impidan ó dificulten la libre entrada y salida de los electores en el lugar en que deban ejercer su derecho, su aproximación á las Mesas electorales, la permanencia de Notarios, candidatos ó electores en los lugares en que se realicen los actos electorales, de manera que no puedan ni les sea fácil ejercitar su oficio ó su derecho y comprobar la regularidad de tales actos, incurrirán, siendo funcionarios públicos, en la pena de arresto mayor en su grado mínimo y multa de 500 á 2,500 pesetas; y siendo particulares, en la pena de arresto mayor en su grado mínimo, á no ser que al hecho estuvieran señaladas otras penas más graves en el Código penal, en cuyo caso se aplicarán éstas.

Art. 30. Los funcionarios públicos que no entreguen ó que demoren maliciosamente la entrega de documentos reclamados por comisionado especial, serán castigados como reos de delito de desobediencia grave á la Autoridad, sin perjuicio de la responsabilidad disciplinaria en que á la vez incurran.

Art. 31. Los delitos previstos en el Código penal que tengan por objeto la materia electoral, se castigarán, cuando no sean aplicables las disposiciones especiales de los artículos precedentes con las penas que el mismo Código señale, y además con una multa de 125 á 1.250 pesetas, en caso de que no correspondiera á aquéllos pena de esta clase.

Art. 32. Serán penas comunes para todos los delitos relacionados directamente con las disposiciones de esta ley, ya se hallen en ella previstos ó lo estén en otra, la de inhabilitación especial temporal á perpetua para derecho de sufragio, cuando el culpable sea ó tenga el carácter de funcionario público, y la de suspensión del mismo derecho cuando sea particular.

En caso de reincidencia por delito de esta especie, la inhabilitación correspondiente á los funcionarios será absoluta perpetua, y á los particulares se impondrá la inhabilitación absoluta temporal, además de las penas correspondientes.

CAPÍTULO II

De las infracciones.

Art. 33. Toda falta de cumplimiento de las obligaciones y formalidades que esta ley ó las disposiciones que se dicten para su ejecución impongan á cuantas personas intervengan con carácter oficial en las operaciones electorales, será corregida con una multa de 25 á 1.000 pesetas, en caso de no constituir delito.

Los funcionarios que por cualquier causa que no sea la de absoluta imposibilidad justificada dejen de cumplir cualquiera de los servicios que les impone esta ley, ó sus reglamentos, incurrirán en la expresada multa, que decretará la Junta del Censo ante la cual debió prestarse el servicio, salvo lo dispuesto en el artículo 42.

En igual responsabilidad incurrirán los Presidentes de las Juntas provinciales y municipales que, debiendo recibir un documento de los prevenidos en cualquiera de las disposiciones de esta ley ó de los reglamentos, no disponga bajo su responsabilidad que inmediatamente se recoja por comisionado especial á costa del que hubiere debido enviarle.

Los que en tal caso no den conocimiento á la Junta central de haber cumplido este deber, serán corregidos de igual modo.

Art. 34. Serán corregidos además como ordena el artículo anterior:

1.° Los concurrentes á los actos electorales que, de un modo que no constituya delito, perturben el orden ó falten al respeto debido.

2.° Los que no teniendo derecho de entrar en los colegios electorales ó en las Juntas de escrutinio, no abandonaren el local á la primera intimación del Presidente.

3.° Los que penetren en un colegio, sección ó junta electoral con armas, palos, bastones ó paraguas, no siendo Autoridad ó no hallándose impedido físicamente.

4.° Los Notarios que, intentando ejercer su oficio, no den conocimiento previo de su propósito al que presida el acto.

5.° Los funcionarios y los particulares por cuya causa no reciba quien corresponda, en los plazos señalados y de la manera establecida en la ley, alguna comunicación, aviso, acta ó documento que deba transmitirse, sin perjuicio de lo dispuesto en el núm. 4.° del artículo 23.

6.° Los Vocales natos y suplentes de las Juntas del Censo que sin justa causa no concurrieren á las sesiones para que fueren convocados, sin haberse excusado oportunamente.

Serán causas justas para no concurrir á las sesiones:

1.ª La ausencia del lugar en que éstas se celebren.

2.ª Atenciones preferentes del servicio público.

3.ª Motivos de salud personal ó de familia, ú ocupaciones privadas inapasables.

4.ª Aquellas en cuya virtud dejen de asistir á la Junta central su Presidente ó sus Vocales.

CAPÍTULO III

Disposiciones comunes á los dos capítulos anteriores.

Art. 35. —Para los efectos de esta ley se reputarán funcionarios públicos los de nombramientos del Gobierno y los que por razón de su cargo desempeñen alguna función relacionada con las elecciones, así como los Presidentes y los Vocales de las Juntas del Censo electoral y los Presidentes é Interventores de las Mesas y Juntas de escrutinio.

Art. 36. La jurisdicción ordinaria es la única competente para el conocimiento de los delitos electorales cualquiera que sea el fuero personal de los responsables.

Para los efectos de las disposiciones de este título se entenderá que son delitos electorales los especialmente previstos en esta ley, y los que, estándolo en el Código penal, afecten á la materia propiamente electoral.

Art. 37. Cuando dentro del Colegio ó Junta electoral se cometiese algún delito, el Presidente mandará detener y pondrá á los presuntos reos á disposición de la Autoridad judicial.

La acción penal que nace de los delitos especialmente electorales es pública, y podrá ejercitarse hasta dos meses después del término del mandato conferido por la elección.

Para su ejercicio no se exigirán depósito ni fianza.

Los Jueces y Tribunales procederán según las reglas del Enjuiciamiento criminal.

Art. 38. No se necesitara autorización para procesar á ningún funcionario.

Las causas en que por sentencia firme se exima de responsabilidad por obediencia debida, se remitirán sin dilación al Tribunal que sea competente para proceder contra el que dió la orden obedecida. El plazo de la prescripción á que se refiere el artículo anterior estará en suspenso, respecto de la Autoridad ó persona obedecida, desde que se principió á proceder hasta el día en que el Tribunal competente haya recibido la sentencia firme en que se declare la exención de la responsabilidad de la persona que obedeció.

Cuando la Autoridad que dió la orden fuese un Ministro de la Corona, ó cuando de cualquier modo resultase indicada su responsabilidad, el Tribunal que conozca del proceso remitirá éste sin dilación al Congreso de los Diputados, firme que sea la sentencia en que se declare la exención de responsabilidad, ó los antecedentes que del mismo resultaran que sean indicantes de la responsabilidad del Ministro.

Art. 39. Son aplicables en todo caso las disposiciones generales y especiales del Código penal á los delitos previstos en esta ley, en cuanto dichas disposiciones se refieran al concepto de los delitos como consumados, frustrados y tentativas, á las participaciones en ellos de las diversas personas que sean objeto del procedimiento, á las circunstancias modificativas de la responsabilidad y á la consiguiente graduación y aplicación de las penas.

Art. 40. El Tribunal á quien corresponda la ejecución de las sentencias firmes dispondrá la publicación de éstas en el *Boletín oficial* de la provincia en que el hecho penado se hubiese cometido, y remitirá un ejemplar de este periódico á la Junta central del Censo.

Art. 41. No se dará curso por el Ministerio de Ultramar, ni se informará por los Tribunales ni por el Consejo de Estado, solicitud alguna de indulto en causa por delitos electorales, sin que conste previamente que los solicitantes han cumplido, por lo menos, la mitad del tiempo de su condena en las penas personales y satisfecho la totalidad de las pecunarias y las costas. Las Autoridades y los individuos de Corporación, de cualquier orden ó jerarquía, que infringiesen esta disposición, dando lugar á que se ponga á la resolución del Rey la solicitud de gracia, incurrirán en la responsabilidad establecida en el art. 369 del Código penal.

De toda concesión de indulto dará conocimiento el Gobierno á la Junta central del Censo

Art. 42. La corrección de las infracciones corresponde:

1.° A los Presidentes del acto ó sesión en que se cometan.

2.° A las Juntas municipales ó provinciales del Censo, en las que respectivamente se relacionen con los actos de los cuales deban entender dichas Juntas ó sus Presidentes.

Las Juntas municipales no podrán, sin embargo, acordar corrección alguna respecto á las superiores pero si entendieren que la provincial ha cometido alguna infracción, lo pondrán inmediatamente en conocimiento de la Central para la resolución que corresponda.

Cuando los Jueces dejen de remitir á las Juntas del Censo los documentos necesarios para la formación ó rectificación de éste, conforme á los reglamentos, lo comunicarán al Presidente de la Audiencia territorial respectiva, para que imponga la corrección, y darán cuenta de ella á la Junta central.

3.° A la Junta central, las demás.

La imposición de las multas se hará en resolución escrita motivada. Las que se impongan á virtud de lo dispuesto en el párrafo primero de este artículo, ó por las Juntas municipales, serán reclamables ante la Junta provincial dentro de dos días siguientes á la notificación, cuya Junta se limitará á confirmar ó revocar el acuerdo.

Las resoluciones revocatorias de la Junta provincial, como las de ésta en ejercicio de sus facultades propias, podrán apelarse en igual término ante la Junta central, la cual podrá agravar, disminuir y confirmar ó alzar la multa dentro del límite de sus atribuciones.

Art. 43. Los Presidentes de colegio electoral ó de Junta de escrutinio, las Juntas municipales y los Presidentes de éstas no podrán imponer multa que exceda de 100 pesetas.

Los Presidentes de Junta provincial y estas Juntas podrá imponer hasta 500 pesetas.

La Junta central y su Presidente, hasta 1.000 pesetas.

Art. 44. El pago de estas multas se hará en un papel especial que la Hacienda pública emitirá para el caso y entregará á cuenta á las Diputaciones provinciales, cobrando sobre él un derecho del 20 por 100 de su valor. El resto de su importe ingresará en la Caja provincial respectiva.

Si á los seis días de ser firme el acuerdo no se hiciere efectiva la multa, se exigirá por la vía de apremio.

En caso de insolvencia del multado, sufrirá éste un arresto personal á razón de un día por cada 5 pesetas de multa, sin que pueda exceder de diez días cuando fuere impuesta por la Junta municipal, su Presidente ó Presidente de Mesa; de veinte si lo fuere por la Junta provincial, su Presidente ó por los de las Juntas de escrutinio, y de treinta si lo fuere por la Junta central ó su Presidente.

DISPOSICIONES TRANSITORIAS.

Primera. Dentro de los tres días siguientes á la publicación de esta ley en las *Gacetas* de la Habana y Puerto Rico se constituirá en cada una de las capitales de las islas una Junta que se denominará *Junta insular del Censo electoral*, compuesta del Gobernador general Presidente; de las Salas de gobierno de las Audiencias de la Habana y Puerto Rico respectivamente; de diez individuos, elegidos por el Gobernador general, entre los de mayor significación, para representar en la Junta á los partidos políticos de la Isla, y del Secretario de Gobierno general, con voz y sin voto este último, que desempeñará las funciones de Secretario. Además, el Gobernador civil de la Habana formará parte de la Junta insular del Censo electoral de la isla de Cuba.

Las facultades de estas Juntas serán:

1.ª Inspeccionar y dirigir los servicios que se refieran á la formación y conservación del Censo.

2.ª Conservar los ejemplares impresos de las listas definitivas, copiadas de los Registros provinciales.

3.ª Comunicarse, por medio del Presidente, con todas las Autoridades y funcionarios públicos.

4.ª Recibir y resolver cuantas quejas se le dirijan.

5.ª Ejercer jurisdicción disciplinaria sobre todas las personas que intervengan con carácter oficial en las operaciones electorales, imponiendo multas hasta la cantidad de 1,000 pesetas, las que, en su caso, exigirán por su orden los Jueces de 1.ª instancia.

6.ª Resolver las cuestiones que se susciten en la ejecución de esta ley y de su reglamento, adaptando lo dispuesto en ambos á las condiciones de las islas, para asegurar la independencia y la verdad del voto.

Además, la Junta insular de Cuba ordenará lo que estime oportuno para que se celebren las elecciones en los distritos en que el estado de la insurrección no permita formar á su tiempo el Censo electoral, ni verificar dichas elecciones con arreglo á lo dispuesto en esta ley y los reglamentos. Al efecto, para cada uno de los referidos distritos nombrará Delegados, los cuales, en unión de siete mayores contribuyentes por territorial é industrial, y siete capacidades, procederán á verificar la elección, ateniéndose á las instrucciones que la Junta insular les comunique.

Segunda. En cumplimiento de lo dispuesto en el artículo 4.° de esta ley, antes del día 26 de diciembre próximo, los Presidentes de las Audiencias nombrarán los Magistrados que han de presidir las Juntas provinciales del Censo electoral y los funcionarios que han de presidir las municipales en las localidades en que no haya Jueces de primera instancia.

Tercera. Para que á la mayor brevedad puedan celebrarse las elecciones, y funcionen los nuevos organismos políticos y administrativos en las islas de Cuba y Puerto Rico, se procederá del modo siguiente:

El día 1.° de enero de 1898, á las ocho de la mañana, el Presidente de la Junta municipal del Censo electoral, nombrado por el de la Audiencia de la provincia, procederá, en la Sala de sesiones del Ayuntamiento, y en sesión pública, á la constitución de dicha Junta municipal, del modo prevenido en el artículo 4.° de esta ley.

Seguidamente, el Alcalde pondrá de manifiesto el último empadronamiento, y entregará al Presidente de la Junta una lista duplicada, por orden alfabético y con numeración correlativa, de todos los vecinos mayores de veinticinco años que consten en dicho empadronamiento, que exprese su edad, domicilio y profesión, y si saben leer y escribir. Todos los pliegos de esta lista estarán firmados por el Alcalde y el Secretario del Ayuntamiento.

Acto contínuo, el Presidente, bajo su responsabilidad, hará fijar uno de los dos ejemplares de esta lista en el sitio acostumbrado para los edictos y bandos municipales, y á la vez hará saber por bando ó por pregón que el día 5 del mismo mes de enero, á las ocho de la mañana, se reunirá en sesión pública la Junta municipal del Censo en la Sala de sesiones del Ayuntamiento.

Antes de dicho día 5, los Jueces de 1.ª instancia remitirán, á los Presidentes de las Juntas municipales del Censo respectivas, lista certificada de las resoluciones judiciales firmes que afecten á la capacidad electoral de los vecinos de cada Ayuntamiento, y los Jueces municipales, lista también certificada de los expresados vecinos que hubiesen fallecido desde la fecha del último empadronamiento quinquenal.

El día 5 de enero, la Junta municipal se constituirá en sesión pública en el local y á la hora mencionados, y el Presidente pondrá sobre la mesa la lista de vecinos formada por el Alcalde, el empadronamiento último y las certificaciones remitidas por los Jueces.

La Junta oirá cuantas reclamaciones se hagan sobre inclusiones, exclusiones y rectificaciones. Para las reclamaciones de inclusión será bastante acreditar con dos testigos, que el individuo cuya inclusion en las listas se solicita reune las condiciones legales para ser elector.

Terminada la sesión pública, seguidamente la Junta procederá á la formación de las listas siguientes:

1.ª De todos los vecinos á quienes corresponde el derecho electoral, según el empadronamiento.

2.ª De los fallecidos con posterioridad á dicho empadronamiento, formada con los datos remitidos por los Jueces municipales respectivos.

3.ª De los que se hallen en caso de incapacidad.

Estas listas se publicarán, como previene el párrafo primero de esta disposición, en los tres días siguientes, durante los cuales se podrá apelar á la Junta provincial.

En esta misma sesión, la Junta municipal acordará la distribución de los electores del Municipio en secciones, si éstos excedieren de 500, asignando á cada una un número próximamente igual dentro de las condiciones de cada localidad.

Hecho esto, se copiarán por duplicado de la primera lista, por orden alfabético, los nombres de los electores de cada Municipio, separándolos por secciones, y estas copias constituirán las listas definitivas. Una de ellas se remitirá el día 9 de enero, juntamente con certificado del acuerdo de la división del Municipio en secciones, y de las reclamaciones que se hayan presentado, á la Junta provincial del Censo, la cual dictará las resoluciones que estime oportunas, hará en su caso las modificaciones procedentes, y ordenará que se impriman las listas de electores en el *Boletín* de la provincia antes del 20 de enero.

Un ejemplar impreso de la lista correspondiente á cada Municipio, autorizada por el Presidente y el Secretario de la Junta provincial y selladas todas las hojas, se remitirá un pliego certificado al respectivo Presidente de la Junta municipal, el cual dará conocimiento á ésta, y hará fijar al público por espacio de tres días inmediatos una copia de aquel ejemplar, que quedará archivado. De la exactitud completa de la copia responderán el Presidente y el Secretario de la Junta municipal.

Ejemplares iguales remitirá también en pliego certificado el Presidente de la Junta provincial á las Autoridades que determine el reglamento.

Contra las resoluciones que dicten las Juntas provinciales en virtud de esta disposición transitoria, no se dará otro recurso que el de queja á la Junta insular.

El día anterior al señalado para las primeras elecciones que hayan de verificarse después de la publicación de esta ley, se reunirán las Juntas municipales del Censo y acordarán la inclusión en las listas electorales de los que la soliciten hasta aquel día y acrediten con dos testigos que reunen las condiciones exigidas por esta ley para ser elector.

Los incluídos por virtud de estos acuerdos ó por las resoluciones de la Junta insular, ejercerán su derecho en la sección á que corresponda su domicilio.

Cuarta. Mientras no se haga una nueva división en distritos electorales para Diputados á Corte en el territorio de las islas de Cuba y Puerto Rico, se declara subsistente la que rige en la actualidad.

Las Juntas insulares del Censo electoral harán la división del territorio de las islas en distritos y circunscripciones para la elección de Representantes, con arreglo al Real decreto de esta fecha.

Madrid, 25 de noviembre de 1897.—Aprobado por S. M.—SAGASTA.

ARTÍCULOS DE LA LEY ELECTORAL DE LA PENÍNSULA DE 26 DE JUNIO DE 1890, EN LA FORMA EN QUE HAN DE APLICARSE CON ARREGLO AL ARTÍCULO 13 DE LA DE CUBA Y PUERTO RICO.

Art. 4.° Son condiciones indispensables para ser admitido como Diputado en el Congreso, las siguientes:

1.ª Reunir las calidades requeridas en el artículo 29 de la Constitución, en el día en que se verifique la elección en el distrito electoral.

2.ª Haber sido elegido y proclamado electo en un distrito electoral, ó en el Congreso, con arreglo á las disposiciones de esta ley y á las del reglamento del mismo Cuerpo.

3.ª No estar inhabilitado por cualquier motivo de incapacidad personal para obtener el cargo en el día en que se verifique la elección.

4.ª No estar comprendido en ninguno de los casos que establece la ley de incompatibilidades.

Art. 5.° Están incapacitados para ser admitidos como Diputados, aunque hubiesen sido válidamente elegidos:

1.° Los que se encuentren comprendidos en alguno de los casos que determina el artículo 2.° de esta ley.

La rehabilitación mencionada en el número 2.° del artículo 2.° de esta ley deberá obtenerse para la elegibilidad de Diputado dos años antes, por lo menos, de su elección.

2.° Los contratistas de obras ó servicios públicos que se costeen con fondos generales, de la provincia ó del Municipio; los que de resulta de tales contratas tengan pendientes reclamaciones de interés propio contra la Administración, y los fiadores y consocios de dichos contratistas. Esta incapacidad se entenderá solamente en relación con el distrito ó circunscripción en que haga la obra ó servicio público.

3.° Los que desempeñen ó hayan desempeñados un año antes, en el distrito ó circunscripción en que la elección se verifique, cualquier empleo, cargo ó comisión de nombramiento del Gobierno, ó ejercido autoridad de elección popular, en cuyo concepto se comprenden los Presidentes de las Diputaciones y los Diputados que durante el año anterior hubiesen desempeñado el cargo de individuo de las Comisiones provinciales.

Se exceptúan los Ministros de la Corona y los funcionarios de la Administración Central de las islas y de la Península.

Las incapacidades á que se refiere este núm. 3.° se limitan á los votos emitidos en el distrito ó en la circunscripción, ó adonde alcancen la autoridad ó funciones de que haya estado investido el Diputado electo.

Art. 6.° En cualquier tiempo en que un Diputado se inhabilitare después de admitido en el Congreso por alguna de las causas enumeradas en el artículo 5.°, se declarará su incapacidad y perderá inmediatamente el cargo.

Art. 7.° Los que estén ya en posesión del cargo de Diputado á Cortes no podrán ser admtidos en el mismo Congreso por virtud de una elección parcial si no lo hubiesen renunciado antes de la convocación del distrito para dicha elección parcial.

Art. 8.° El cargo de Diputado á Cortes es gratuito y voluntario, y se podrá renunciar antes y después de haberlo jurado; pero la renuncia no podrá ser admitida sin aprobación previa del acta de la elección por el Congreso.

Art. 22. En los distritos en que deba elegirse un Diputado, cada elector no podrá dar válidamente su voto más que á una persona; cuando se elijan más de uno, hasta cuatro, tendrá derecho á votar á uno menos del número de los que hayan de elegirse; á dos menos si se eligieren más de cuatro, y á tres menos si se eligieren más de ocho.

Art. 37. Tendrán derecho á nombrar Interventores para las Mesas electorales de las secciones que comprendan el distrito ó circunscripción, los candidatos siguientes:

1.° Los ex-Diputados á Cortes que hayan representado el mismo distrito ú otro cualquiera de la Isla.

2.° Los que hubiesen luchado en el mismo distrito en elecciones anteriores y obtenido la quinta parte por lo menos del total de votos emitidos.

3.° Los ex-Senadores elegidos por la Isla á que pertenece el distrito ó circunscripción.

4.° Los candidatos para Diputados á Cortes propuestos por medio de cédulas firmadas por electores del respectivo distrito ó circunscripción, ó por actas notariales con intervención del funcionario competente, cuyos electores asciendan cuando menos á la vigésima parte del total de los comprendidos en la lista ultimada del distrito ó circunscripción.

Art. 73. Solamente por acuerdo del Congreso se podrá proceder á la eleeción parcial de Diputado en uno ó más distritos, ó por haber quedado vacante su representación en las Cortes.

Art. 74. Para los distritos que con arreglo á esta ley deben elegir tres ó más Diputados, solamente se entenderá que hay vacante en su representación en las Cortes cuando por cualquier causa faltasen dos por lo menos de sus Diputados.

Art. 75. El Real decreto convocando á los colegios electorales de uno ó más distritos para elección parcial de Diputados á Cortes se publicará en la *Gaceta de Madrid* dentro de ocho días, contados desde la fecha de la comunicación del acuerdo del Congreso. En el mismo Real decreto se señalará el día en que ha de hacerse la elección, y no se podrá fijar este día antes de los veinte ni después de los treinta, contados desde la fecha de la convocatoria Simultáneamente se publicará el Real decreto en las *Gacetas* de la Habana y de Puerto Rico, según los casos, comunicándose al efecto la oportuna orden telegráfica á los respectivos Gobernadores generales de una y otra Antilla.

Art. 76. La elección parcial se hará en el día señalado, por los trámites y en la forma prescritos por esta ley para las elecciones generales.

Art. 77. El Congreso, en uso de la prerrogativa que le compete por el art. 34 de la Constitución, examinará y juzgará de la legalidad de las elecciones por los trámites que determine su reglamento, y admitirá como Diputados á los que resulten legalmente elegidos y proclamados en los distritos, si reunen la capacidad necesaria para ejercer el cargo y no están comprendidos en las incompatibilidades que declare la ley.

Art. 78. En los casos de elección empatada, si uno solo de los candidatos empatados tuviese aptitud legal para ser Diputado, será proclamado y admitido desde luego, una vez aprobada la elección.

También será admitido desde luego y proclamado por el Congreso el que resulte legalmente elegido, si hubiese en el acta protestas qne aparezcan justificadas contra la votación del otro ú otros candidatos empatados.

A falta de estas diferencias, será proclamado Diputado entre los candidatos empatados:

1.° El que hubiere ejercido más veces el cargo.

2.° El que lo hubiere ejercido más tiempo.

3.° El mayor en edad.

Art. 79. Las actas de las Juntas de escrutinio, remitidas á la Junta Central en cumplimiento de lo dispuesto en el art. 69, se entregarán por ésta, en cuanto lleguen á su poder, en la Secretaría del Congreso, á cuya disposición tendrá aquella Junta en todo caso los demás documentos referentes á actas electorales.

Art. 80. Los Diputados, electos ó presuntos, proclamados por las Juntas de escrutinio en elecciones generales, deberán presentar la credencial respectiva dentro de dos meses, á contar desde el día de la reunión de las Cortes.

Para los proclamados en elección parcial, el plazo se contará desde el día de su proclamación por la Junta de escrutinio.

Se entenderá que renuncia su cargo el que no presente la credencial dentro de los términos establecidos por este artículo, y en su consecuencia se declarará la vacante del distrito ó Colegio correspondiente, después de resolver el Congreso sobre la legalidad de la elección.

Art. 81. Si un mismo individuo resultase elegido por dos ó más distritos á la vez, optará por uno de ellos ante el Congreso dentro de los ocho días siguientes á la aprobación de la última de sus actas, si entonces estuviese ya admitido como Diputado, ó de treinta días en otro caso.

A falta de opción expresa en uno ó otro término, decidirá la suerte ante el Congreso el distrito que le corresponda, y se declarará la vacante con respecto á los demás.

Art. 82. Los electores y los candidatos que hubiesen figurado en una elección, podrán acudir ante el Congreso en cualquier tiempo, antes de la aprobación del acta respectiva, con las reclamaciones que les convengan contra la validez ó resultado de la misma elección, ó contra la capacidad legal del Diputado electo. antes de que éste haya sido admitido.

Art. 83. Cuando para poder apreciar y juzgar de la legalidad de una elección reclamada ante el Congreso se estimase necesario practicar algunas investigaciones en la localidad de la misma elección, el Presidente de la Cámara dará y comunicará directamente las órdenes á la Autoridad judicial del territorio á quien tenga por conveniente dar comisión al efecto, y la Autoridad comisionada se entenderá con el mismo Presidente en el desempeño de su encargo, sin necesidad de intervención del Gobierno.

Art. 84. Después de aprobada por el Congreso una elección y de admitido el Diputado electo por ella, no se podrá admitir reclamación alguna ni volver á tratar sobre la validdz de la misma elección, ni tampoco sobre la aptitud legal del Diputado, á no ser por causa de incapacidad posterior á su admisión.

Madrid, 25 de noviembre de 1897.—Aprobado por S. M.—SAGASTA.

REAL DECRETO

De acuerdo con el parecer de Mi Consejo de Ministros:

En nombre de Mi Augusto Hijo el REY don Alfonso XIII, y como REINA Regente del Reino,

Vengo en decretar lo siguiente:

TÍTULO PRIMERO (*)

Del gobierno y administración de la isla de Puerto Rico.

Artículo 1.° El gobierno y administración de la isla de Puerto Rico se regirá en adelante con arreglo á las siguientes disposiciones.

Art. 2.° El Gobierno de la isla se compondrá de un Pariamento insular, dividido en dos Cámaras, y de un Gobernador general, representante de la Metrópoli, que ejercerá en nombre de ésta la Autoridad suprema.

(*) NOTA EXPLICATIVA

Para facilitar la inteligencia de este decreto, y evitar confusiones en el valor legal de los términos en él empleados, deben tenerse presentes las siguientes equivalencias:

Poder ejecutivo central.....	El Rey con su Consejo de Ministros.
Parlamento español.....	Las Cortes con el Rey.
Cámaras españolas.....	El Congreso y el Senado.
Gobierno central.....	El Consejo de Ministros del Reino.
Parlamento colonial.....	Las dos Cámaras con el Gobernador general.
Cámaras coloniales.....	El Consejo de Administración y la Cámara de Representantes.
Asambleas legislativas coloniales.....	El Consejo de Adminstración y la Cámara de Representantes.
Gobernador general en Consejo	El Gobernador general con los Secretarios del Despacho.
Instrucciones del Gobernador general.....	Las que haya recibido cuando fué nombrado para el cargo.
Estatutos.....	Disposición colonial de carácter legislativo.
Estatutos coloniales.....	La legislación colonial.
Legislación ó leyes generales..	La legislación ó leyes del Reino.

TÍTULO II

De las Cámaras insulares

Art. 3.° La facultad de legislar sobre los asuntos coloniales en la forma y en los términos marcados por las leyes corresponde á las Cámaras insulares con el Gobernador general.

Art. 4.° La representación insular se compone de dos Cuerpos iguales en facultades: la Cámara de Representantes y el Consejo de Administración.

TÍTULO III

Del Consejo de Administración.

Art. 5.° El Consejo se compone de quince individuos, de los cuales ocho serán elegidos en la forma indicada en la ley electoral, y los otros siete serán designados por el Rey, y á su nombre por el Gobernador general, entre los que reunan las condiciones enumeradas en los artículos siguientes:

Art. 6.° Para tomar asiento en el Consejo de Administración se requiere: ser español; haber cumplido treinta y cinco años; haber nacido en la isla ó llevar en ella cuatro años de residencia constante; no estar procesado criminalmente; hallarse en la plenitud de los derechos políticos; no tener sus bienes intervenidos; poseer con dos ó más años de antelación una renta propia anual de 4000 pesos, y no tener participación en contratos con el Gobierno central ó con el de la isla.

Los accionistas de las Sociedades anónimas no se considerarán contratistas del Gobierno, aun cuando lo sean las Sociedades á que pertenezcan.

Art. 7.° Podrán ser elegidos ó designados Consejeros de Administración los que, además de las condiciones señaladas en el artículo anterior, tengan alguna de las siguientes:

1.ª Ser ó haber sido Senador del Reino, ó tener las condiciones que para ejercer dicho cargo señala el título 3.° de la Constitución.

2.ª Haber desempeñado durante dos años alguno de los cargos que á continuación se expresan:

Presidente ó Fiscal de la Audiencia territorial de Puerto Rico;

Director del Instituto de San Juan;

Consejero de Administración del antiguo Consejo de este nombre;

Presidente de las Cámaras de Comercio de la capital y de Ponce;

Presidente de la Sociedad Económica de Amigos del País de Puerto Rico;

Presidente de la Asociación de Agricultores;

Decano del Ilustre Colegio de Abogados de la capital;

Alcalde de San Juan ó Presidente de la Diputación provincial durante dos bienios;

Deán del Cabildo Catedral.

3.ª Podrán ser igualmente elegidos ó designados los propietarios que figuren en la lista de los 50 mayores contribuyentes por territorial, ó en la de los 50 primeros por comercio, profesiones, industria y artes.

Art. 8.° El nombramiento de los Consejeros que la Corona designe se hará por decretos especiales, en los cuales se expresará siempre el título en que el nombramiento se funda.

Los Consejeros así nombrados ejercerán el cargo durante su vida.

Los Consejeros electivos se renovarán por mitad cada cinco años, y en totalidad cuando el Gobernador general disuelva el Consejo de Administración.

Art. 9.° Las condiciones necesarias para ser nombrado ó elegido Consejero de Administración podrán variarse por una ley del Reino, á petición ó propuesta de las Cámaras insulares.

Art. 10. Los Consejeros de Administración no podrán admitir empleo, ascenso que no sea de escala cerrada, título, ni condecoración mientras estuviesen abiertas las sesiones; pero tanto el Gobierno local como el central podrán conferirles dentro de sus respectivos empleos ó categorías las comisiones que exija el servicio público.

Exceptúase de lo dispuesto en los párrafos anteriores el cargo de Secretario del Despacho.

TÍTULO IV

De la Cámara de Representantes.

Art. 11. La Cámara de Representantes se compondrá de los que nombren las Juntas electorales en la forma que determina la ley y en la proporción de de uno por cada 25.000 habitantes.

Art. 12. Para ser elegido Representante se requiere ser español, de estado seglar, mayor de edad, gozar de todos los derechos civiles, ser nacido en la isla de Puerto Rico ó llevar cuatro años de residencia en ella, y no hallarse procesado criminalmente.

Art. 13. Los Representantes serán elegidos por cinco años, y podrán ser reelegidos indefinidamente.

La Cámara insular determinará con que clase de funciones es incompatible el cargo de Representante y los casos de reelección.

Art. 14. Los Representantes á quienes el Gobierno central ó el local, confieran pensión, empleo, ascenso que no sea de escala cerrada, comisión con sueldo, honores ó condecoraciones, cesarán en su cargo, sin necesidad de declaración alguna, si dentro de los quince días inmediatos á su nombramiento no participan á la Cámara la renuncia de la gracia.

Lo dispuesto en el párrafo anterior no comprende á los Representantes que fueren nombrados Secretarios del Despacho.

TÍTULO V

De la manera de funcionar las Cámaras insulares, y de las relaciones entre ambas.

Art. 15. Las Cámaras se reunen todos los años. Corresponde al Rey, y en su nombre al Gobernador general, convocarlas, suspender, cerrar sus sesiones, y disolver separada ó simultáneamente la Cámara de Representantes y el Consejo de Administración, con la obligación de convocarlas de nuevo ó de renovarlas dentro de tres meses.

Art. 16. Cada uno de los Cuerpos Colegisladores formará su respectivo reglamento, y examinará, así las calidades de los individuos que lo componen, como la legalidad de su elección.

Mientras la Cámara de Representantes y el Consejo de Administración no hayan aprobado su reglamento, se regirán por el del Congreso de los diputados ó por el del Senado respectivamente.

Art. 17. Ambas Cámaras nombrarán su Presidente, Vicepresidentes y Secretarios.

Art. 18. No podrá estar reunido uno de los dos Cuerpos Colegisladores sin que también lo esté el otro.

Exceptúase el caso en que el Consejo de Administración ejerza funciones judiciales.

Art. 19. Las Cámaras insulares no pueden deliberar juntas ni en presencia del Gobernador general.

Sus sesiones serán públicas, aun cuando en los casos que exijan reserva podrá cada una celebrar sesión secreta.

Art. 20. Al Gobernador general, por medio de los Secretarios del Despacho, corresponde, lo mismo que á cada una de las dos Cámaras, la iniciativa y proposición de los Estatutos coloniales.

Art. 21. Los Estatutos coloniales sobre contribuciones y crédito público se presentarán primero á la Cámara de Representantes.

Art. 22. Las resoluciones en cada uno de los dos Cuerpos Colegisladores se toman por pluralidad de votos; pero para votar acuerdos de carácter legislativo se requiere la presencia de la mitad más uno del número total de individuos que lo componen. Bastará, sin embargo, para deliberar la presencia de la tercera parte de los miembros.

Art. 23. Para que una resolución se entienda votada por el Perlamento insular, será preciso que haya sido aprobada en iguales términos por la Cámara de Representantes y por el Consejo de Administración.

Art. 24. Los Estatutos coloniales, una vez aprobados en la forma prescripta en el artículo anterior, se presentarán al Gobernador general por las Mesas de las Cámaras respectivas para su sanción y promulgación.

Art. 25. Los Consejeros de Administración y los individuos de la Cámara de Representantes son inviolables por sus opiniones y votos en el ejercicio de su cargo.

Art. 26. Los Consejeros de Administración no podrán ser procesados ni arrestados sin previa resolución del Consejo, sino cuando sean hallados *in fraganti*, ó cuando el Consejo no se halle reunido; pero en todo caso se dará cuenta á este Cuerpo lo más pronto posible para que determine lo que corresponda. Tampoco podrán los Representantes ser procesados, ni arrestados durante la sesiones sin permiso de la Cámara, á no ser hallados *in fraganti*; pero en este caso y en el de ser procesados ó arrestados cuando estuvieren cerradas las Cámaras, se dará cuenta lo más pronto posible á la de Representantes para su conocimiento y resolución.—La Audiencia territorial de Puerto Rico conocerá de las causas criminales contra los Consejeros y Representantes, en los casos y en la forma que determinen los Estatutos coloniales.

Art. 27. Las garantías consignadas en el artículo anterior no se aplicarán á los casos en que el Consejero ó Representante se declare autor de artículos, libros, folletos ó impresos de cualquier clase en los cuales se invite ó provoque á la sedición militar, se injurie ó calumnie al Gobernador general ó se ataque á la integridad nacional.

Art. 28. Las relaciones entre las dos Cámaras se regularán, mientras otra cosa no se disponga, por la ley de Relaciones entre ambos Cuerpos Colegisladores de 19 de Julio de 1837.

Art. 29. Además de la potestad legislativa colonial, corresponde á las Cámaras insulares:

1.° Recibir al Gobernador general el juramento de guardar la Constitución y las leyes que garantizan la autonomía de la colonia.

2.° Hacer efectiva la responsabilidad de los Secretarios del Despacho, los cuales, cuando sean acusados por la Cámara de Representantes, serán juzgados por el Consejo de Administración.

3.° Dirigirse al Gobierno central por medio del Gobernador general para proponerle la derogación ó modificación de las leyes del Reino vigentes, para invitarle á presentar proyectos de ley sobre determinados asuntos, ó para pedirle resoluciones de carácter ejecutivo en los que interesen á la colonia.

Art. 30. En todos los casos en que, á juicio del Gobernador general, los intereses nacionales puedan ser afectados por los Estatutos coloniales, precederá á la presentación de los proyectos de iniciativa ministerial su comunicación al Gobierno central.

Si el proyecto naciera de la iniciativa parlamentaria, el Gobierno colonial reclamará el aplazamiento de la discusión hasta que el Gobierno central haya manifestado su juicio.

En ambos casos la correspondencia que mediare entre los dos Gobiernos se comunicará á las Cámaras y se publicará en la *Gaceta*.

Art. 31. Los conflictos de jurisdicción entre las diferentes Asambleas municipales, provincial é insular, ó con el Poder ejecutivo, que por su índole no fueran referidos al Gobierno central, se someterán á los Tribunalss de Justicia, con arreglo á las dispociones del presente Decreto.

TÍTULO VI

De las facultades del Parlamento insular.

Art. 32. Las Cámaras insulares tienen facultad para acordar sobre todos aquellos puntos que no hayan sido especial y taxativamente reservados á las Cortes del Reino ó al Gobierno central, según el presente Decreto ó lo que en adelante se dispusiere, con arreglo á lo preceptuado en el art. 2.° adicional.

En este sentido, y sin que la enumeración suponga limitación de sus facultades, les corresponde estatuir sobre cuantos asuntos y materias incumben á los Ministerios de Gracia y Justicia, Gobernación, Hacienda y Fomento en sus tres aspectos de Obras públicas, Instrucción y Agricultura.

Les corresponde además el conocimienta privativo de todos aquellos asuntos de índole puramente local que afecten principalmente al territorio colonial; y en este sentido podrán estatuir sobre la organización administrativa; sobre división territorial, provincial, municipal ó judicial: sobre sanidad marítima y terrestre; sobre crédito público, bancos y sistema monetario.

Estas facultades se entienden sin perjuicio de las que sobre las mismas materias correspondan, según las leyes, al Poder ejecutivo colonial.

Art. 33. Corresponde igualmente al Parlamento insular formar los reglamentos de aquellas leyes votadas por las Cortes del Reino que expresamente se le confíen. En este sentido le compete muy especialmente, y podrá hacerlo desde su primera reunión, estatuir sobre el procedimiento electoral, formación del censo, calificación de los electores y manera de ejercitar el sufragio; pero sin que sus disposiciones puedan afectar al derecho del ciudadano, según le está reconocido por la ley Electoral.

Art. 34. Aun cuando las leyes relativas á la administración de justicia y de organización de los tribunales son de carácter general. y obligatorias, por tanto, para la Colonia, el Parlamento colonial podrá con sujeción á ellas dictar las reglas ó proponer al Gobierno central las medidas que faciliten el ingreso, conservación y ascenso en los tribunales locales, de los naturales de la Isla, ó de los que en ella ejerzan la profesión de Abogado.

Al Gobernador general en Consejo corresponden las facultades que, respecto al nombramiento de los funcionarios, subalternos y auxiliares del orden judicial y demás asuntos con la administración de justicia relacionados, ejerce hoy el Ministro de Ultramar, en cuanto á la isla de Puerto Rico se refiere.

Art. 35. Es facultad exclusiva del Parlamento insular la formación del presupuesto local, tanto de gastos como de ingresos, y del de ingresos necesario para cubrir la parte que á la isla corresponda en el presupuesto nacional.

Al efecto, el Gobernador general presentará á las Cámaras, antes del mes de enero de cada año, el presupuesto correspondiente al ejercicio siguiente, dividido en dos partes: la primera contendrá los ingresos necesarios para cubrir los gastos de la soberanía; la segunda, los gastos é ingresos propios de la administración colonial.

Ninguna de las dos Cámaras podrá pasar á deliberar sobre el presupuesto colonial, sin haber votado definitivamente la parte referente á los gastos de soberanía.

Art. 36. A las Cortes del Reino corresponde determinar cuales hayan de considerarse por su naturaleza gastos obligatorios inherentes á la soberanía, y fijar además cada tres años su cuantía y los ingresos necesarios para cubrirlos, salvo siempre el derecho de las mismas Cortes para alterar esta disposición.

Art. 37. La negociación de los tratados de comercio que afecten á la isla de Puerto Rico, bien se deban á la iniciativa del Gobierno insular, bien á la del Gobierno central, se llevará siempre por éste, auxiliado en ambos casos por delegados especiales debidamente autorizados por el Gobierno colonial, cuya conformidad con lo convenido se hará constar al presentarlos á las Cortes del Reino.

Estos tratados, si por ellas fueren aprobados, se publicarán como leyes del Reino, y como tales regirán en el territorio insular.

Art. 38. Los tratados de comercio en cuya negociación no hubiere intervenido el Gobierno insular, se le comunicarán en cuanto fueren leyes del Reino, á fin de que pueda en un período de tres meses declarar si desea ó no adherirse á sus estipulaciones. En caso afirmativo, el Gobernador general lo publicará en la *Gaceta* como Estatuto colonial.

Art. 39. Corresponderá también al Parlamento insular la formación del Arancel y la designación de los derechos que hayan de pagar las mercancías, tanto á su importación en el territorio insular como á la exportación del mismo.

Art. 40. Como transición del régimen actual al que ahora se establece, y sin perjuicio de lo que puedan convenir en su día los dos Gobiernos, las relaciones mercantiles entre la Península y la isla de Puerto Rico se regirán por las siguientes disposiciones:

1.ª Ningún derecho, tenga ó no carácter fiscal, y establézcase para la importación ó la exportación, podrá ser diferencial en perjuicio de la producción insular ó peninsular.

2.ª Se formará por los dos Gobiernos una lista de artículos de procedencia nacional directa, á los cua-

les se les señalará de común acuerdo un derecho diferencial sobre sus similares de procedencia extranjera.

En otra lista análoga, formada por igual procedimiento, se determinarán los productos de procedencia insular directa que habrán de recibir trato privilegiado á su entrada en la Península y el tipo de los derechos diferenciales.

Este derecho diferencial en ningún caso excederá para ambas procedencias del treinta y cinco por ciento.

Si en la formación de ambas listas y en la fijación de los derechos protectores hubiera conformidad entre los dos Gobiernos, las listas se considerarán definitivas y se pondrán desde luego en vigor. Si hubiere discrepancia, se someterá la resolución del punto litigioso á una comisión de Diputados del Reino, formada por iguales partes de puertorriqueños y peninsulares. Esta comisión nombrará su Presidente: si sobre su nombramiento no se llegara á un acuerdo, presidirá el de más edad. El Presidente tendrá voto de calidad.

3.ª Las tablas de valoraciones relativas á los artículos enumerados en las dos listas mencionadas en el número anterior se fijarán de común acuerdo, y se revisarán contradictoriamente cada dos años. Las modificaciones que en su vista proceda hacer en los derechos arancelarios se llevarán desde luego á cabo por los respectivos Gobiernos.

TÍTULO VII

Del Gobernador general.

Art. 41. El Gobierno supremo de la colonia se ejercerá por un Gobernador general, nombrado por el Rey, á propuesta del Consejo de Ministros. En este concepto ejercerá como Vicerreal Patrono las facultades inherentes al Patronato de Indias; tendrá el mando superior de todas las fuerzas armadas de mar y tierra existentes en la isla; será Delegado de los Ministerios de Estado, Guerra, Marina y Ultramar; le estarán subordinadas todas las demás Autoridades de la isla, y será responsable de la conservación del orden y de la seguridad de la colonia.

El Gobernador general, antes de hacerse cargo de su destino, prestará en manos del Rey el juramento de cumplirlo fiel y lealmente.

Art. 42. El Gobernador general, como representante de la Nación, ejercerá por sí, y auxiliado por su Secretaría, todas las funciones indicadas en el artículo anterior y las que puedan corresponderle como Delegado directo del Rey en los asuntos de carácter nacional.

Corresponde al Gobernador general como representante de la Metrópoli:

1.º Designar libremente los empleados de su Secretaría.

2.º Publicar, ejecutar y hacer que se ejecuten en la isla las leyes, decretos, tratados, convenios internacionales y demás disposiciones emanadas del Poder legislativo, así como los decretos, Reales órdenes y demás disposiciones emanadas del Poder ejecutivo y que le fueren comunicadas por los Ministerios de que es Delegado.

Cuando á su juicio y al de sus Secretarios del Despacho las resoluciones del Gobierno de S. M. pudieran causar daños á los intereses generales de la Nación ó á los especiales de la isla, suspenderá su publicación y cumplimiento, dando cuenta de ello y de las causas que motiven su resolución al Ministerio respectivo.

3.º Ejercer la gracia de indulto á nombre del Rey, dentro de los límites que especialmente se le hayan señalado en sus instrucciones, y suspender las ejecuciones de pena capital cuando la gravedad de las circunstancias lo exigiesen, ó la urgencia no diere lugar á solicitar y obtener de S. M. el indulto, oyendo en todo caso el parecer de sus Secretarios de Despacho.

4.º Suspender las garantías expresadas en los artículos 4.º, 5.º, 6.º y 9.º, y párrafos primero, segundo y tercero del artículo 13 de la Constitución del Estado, aplicar la legislación de orden público y tomar cuantas medidas crea necesarias para conservar la paz en el interior y la seguridad en el exterior del territorio que le está confiado, oyendo previamente al Consejo de Secretarios.

5.º Cuidar de que en la colonia se administre pronta y cumplidamente la justicia, que se administrará siempre en nombre del Rey.

6.º Comunicar directamente sobre negocios de política exterior con los Representantes, Agentes diplomáticos y Cónsules de España en América.

La correspondencia de este género se comunicará íntegra y simultáneamente al Ministerio de Estado.

Art. 43. Corresponde al Gobernador general, como Autoridad superior de la colonia y Jefe de su Administración:

1.º Cuidar de que sean respetados y amparados los derechos, facultades y privilegios reconocidos ó que en adelante se reconozcan á la Administración colonial.

2.º Sancionar y publicar los acuerdos del Parlamento insular, los cuales le serán sometidos por el Presidente y Secretarios de las Cámaras respectivas.

Cuando el Gobernador general entienda que un acuerdo del Parlamento insular extralimita sus facultades, atenta á los derechos de los ciudadanos reconocidos en el título 1.º de la Constitución, ó á las garantías que para su ejercicio les han señalado las leyes, ó compromete los intereses de la colonia ó del Estado, remitirá el acuerdo al Consejo de Ministros del Reino, el cual, en un período que no excederá de dos meses, lo aprobará ó devolverá al Gobernador general, exponiendo los motivos que tenga para oponerse á su sanción y promulgación. El Parlamento insular, en vista de estas razones, podrá volver á deliberar sobre el asunto y modificarlo, si así lo estima conveniente, sin necesidad de proposición especial.

Si transcurrieran dos meses sin que el Gobierno central hubiera manifestado su opinión sobre un acuerdo de las Cámaras que le hubiere sido transmitido por el Gobernador general, éste procederá á su sanción y promulgación.

3.º Nombrar, suspender y separar á los empleados de la Administración colonial, á propuesta de los respectivos Secretarios del Despacho y con sujeción á las leyes.

4.º Nombrar y separar libremente los Secretarios del Despacho.

Art. 44. Ningún mandato del Gobernador general en su carácter de Representante y Jefe de la colonia puede llevarse á efecto si no está refrendado por un Secretario del Despacho, quien por este solo hecho se hace de él responsable.

Art. 45. Las Secretarías del Despacho serán cinco:

Gracia y Justicia y Gobernación.
Hacienda.
Instrucción pública.
Obras públicas y Comunicaciones.
Agricultura, Industria y Comercio.

La presidencia corresponderá al Secretario que designe el Gobernador general, el cual podrá también nombrar un Presidente sin departamento determinado.

El aumento ó disminución de las Secretarías del Despacho, así como la determinación de los asuntos que á cada una correspondan, pertenece al Parlamento insular.

Art. 46. Los Secretarios del Despacho pueden ser individuos de la Cámara de Representantes ó del Consejo de Administración, y tomar parte en las discusiones de ambos Cuerpos; pero sólo tendrán voto en aquél á que pertenezcan.

Art. 47. Los Secretarios del Despacho serán responsables de sus actos ante las Cámaras insulares.

Art. 48. El Gobernador general no podrá modificar ó revocar sus propias providencias cuando hubiesen sido confirmadas por el Gobierno, fueren declaratorias de derechos, hubieren servido de base á sentencia judicial ó contencioso-administrativa, ó versasen sobre su propia competencia.

Art. 49. El Gobernador general no podrá hacer entrega de su cargo al ausentarse de la Isla sin expreso mandato del Gobierno. En casos de ausencia de la capital que le impidieran despachar los asuntos ó imposibilidad de ejercerla, podrá designar la persona ó personas que hubieran de sustituirle, si el Gobierno no lo hubiese hecho de antemano, ó si en sus instrucciones no estuviera previsto el modo de hacer la sustitución.

Art. 50. El Tribunal Supremo conocerá en única instancia de las responsabilidades definidas en el Código penal que se imputaren al Gobernador general.

De las responsabilidades administrativas en que incurra conocerá el Consejo de Ministros.

Art. 51. El Gobernador general, á pesar de lo dispuesto en los diferentes artículos de este decreto, podrá obrar por sí y bajo su responsabilidad, sin audiencia de sus Secretarios del Despacho, en los siguientes casos:

1.º Cuando se trate de la remisión al Gobierno de los acuerdos de las Cámaras insulares, especialmente cuando entienda que en ellos se atenta á los derechos garantidos en el título 1.º de la Constitución de la Monarquía ó á las garantías que para su ejercicio han señalado las leyes.

2.º Cuando haya de ponerse en ejecución la ley de orden público, sobre todo si no hubiere tiempo ó manera de consultar al Gobierno central.

3.º Cuando se trate de la ejecución y cumplimiento de leyes del Reino sancionadas por S. M. y extensivas á todo el territorio español ó al de su Gobierno.

Una ley determinará el procedimiento y los medios de acción que en estos casos podrá emplear el Gobernador general.

TÍTULO VIII

Del régimen municipal y provincial.

Art. 52. La organización municipal es obligatoria en todo grupo de población superior á mil habitantes.

Los que no lleguen á esa cifra podrán organizar los servicios de carácter común por convenios especiales.

Todo Municipio legalmente constituido estará facultado para estatuir sobre la instrucción pública, las vías terrestres, fluviales ó marítimas, la sanidad local, los presupuestos municipales, y para nombrar y separar libremente sus empleados.

Art. 53. Al frente de la provincia habrá una Diputación elegida en la forma que determinen los Estatutos coloniales y compuesta del número de individuos proporcional á su población.

Art. 54. La Diputación provincial es autónoma en todo lo referente á la creación y dotación de establecimientos de instrucción pública, servicios de beneficencia, vías provinciales terrestres, fluviales ó marítimas, formación de sus presupuestos y nombramiento y separación de sus empleados.

Art. 55. Tanto los Municipios como la provincia podrán establecer libremente los ingresos necesarios para cubrir sus presupuestos, sin otra limitación que la de hacerlos compatibles con el sistema tributario general de la Isla.

Los recursos del presupuesto provincial serán independientes de los del municipal.

Art. 56. Serán Alcaldes y Tenientes de Alcalde los Concejales elegidos por los Ayuntamientos.

Art. 57. Los Alcaldes ejercerán sin limitación alguna las funciones activas de la Administración municipal, como ejecutores de los acuerdos de los Ayuntamientos y representantes suyos.

Art. 58. Tanto los Concejales como los Diputados provinciales serán responsables civilmente de los daños y perjuicios causados por sus actos.

Esta responsabilidad será exigible ante los Tribunales ordinarios.

Art. 59. La Diputación provincial nombrará libremente su Presidente.

Art. 60. Las elecciones de Concejales y Diputados provinciales se harán de manera que las minorías tengan en ellas su legítima representación.

Art. 61. Las leyes provincial y municipal vigentes en Puerto Rico seguirán rigiendo en cuanto no se opongan á las disposiciones del presente decreto y á las modificaciones introducidas por la ley Electoral mientras el Parlamento colonial no estatuya sobre estas materias.

Art. 62. Ningún estatuto colonial podrá privar á los Municipios ni á la Diputación de las facultades reconocidas en los artículos anteriores.

TÍTULO IX

De las garantías para el cumplimiento de la Constitución colonial.

Art. 63. Todo ciudadano podrá acudir á los Tribunales cuando entienda que sus derechos han sido violados ó sus intereses perjudicados por los acuerdos de un Municipio ó de la Diputación provincial.

El ministerio fiscal, si á ello fuera requerido por los agentes del Poder ejecutivo colonial, perseguirá igualmente ante los Tribunales las infracciones de ley ó las extralimitaciones de facultades cometidas por los Ayuntamientos y Diputación.

Art. 64. En los casos á que se refiere el artículo anterior, serán Tribunales competentes para las reclamaciones contra los Municipios la Sala de lo civil de la Audiencia territorial, y para las reclamaciones contra la Diputación provincial, la Audiencia territorial de Puerto Rico en pleno.

Cuando se trate de extralimitación de facultades de las referidas Corporaciones, resolverá en Tribunal pleno la Audiencia territorial. De las resoluciones de la Audiencia territorial, podrá apelarse al Tribunal Supremo del Reino.

Art. 65. Las facultades concedidas en el artículo 63 á todo ciudadano se podrán también ejercer colectivamente por medio de la acción pública, nombrando al efecto apoderado ó representante.

Art. 66. Sin perjuicio de las facultades que le están otorgadas en el título 5.º, el Gobernador general, cuando lo estime conveniente, podrá acudir, en su calidad de Jefe del Poder ejecutivo colonial, ante la Audiencia territorial de Puerto Rico, para que ésta dirima los conflictos de jurisdicción entre el Poder ejecutivo colonial y sus Cámaras legislativas.

Art. 67. Si surgiere alguna cuestión de jurisdicción entre el Parlamento insular y el Gobernador general en su calidad de Representante del Poder central, que á petición del primero no fuera sometida al Consejo de Ministros del Reino, cada una de las dos partes podrá someterla á la resolución del Tribunal Supremo del Reino, que resolverá en pleno y en una sola instancia.

Art. 68. Las resoluciones que recaigan en los casos previstos en los artículos anteriores se publicarán en la *Colección de Estatutos coloniales* y formarán parte de la legislación insular.

Art. 69. Todo acuerdo municipal que tenga por objeto la contratación de empréstitos ó Deudas municipales carecerá de fuerza ejecutiva, si no fuere aprobado por la mayoría de los vecinos, cuando así lo hubiera pedido la tercera parte de los Concejales.

Un estatuto especial determinará la cuantía del empréstito ó de la deuda que, según el número de vecinos que compongan el Ayuntamiento, será necesaria para que tenga lugar el *referendum*.

Art. 70. Todas las disposiciones de carácter legal que emanen del Parlamento colonial ó de los Tribunales, se compilarán con el nombre de Estatutos coloniales en una colección legislativa, cuya formación y publicación estará confiada al Gobernador general como Jefe del Poder ejecutivo colonial.

ARTÍCULOS ADICIONALES

Artículo 1.º Mientras no se hayan publicado en debida forma Estatutos coloniales, se entenderán aplicables las leyes del Reino, á todos los asuntos reservados á la competencia del Gobierno insular.

Art. 2.º Una vez aprobadas por las Cortes del Reino la presente Constitución para las islas de Cuba y Pueto Rico, no podrá modificarse sino en virtud de una ley y á petición del Parlamento insular.

Art. 3.º Los contratos referentes á servicios públicos comunes á las Antillas y á la Península que estén en curso de ejecución continuarán en la forma actual hasta su terminación, y se regirán en un todo por las condiciones del contrato.

Sobre los que aun no hubieran empezado á ejecutarse, pero estuvieran ya convenidos, el Gobernador general consultará al Gobierno central ó á las Cámaras coloniales en su caso, resolviéndose de común acuerdo entre los dos Gobiernos la forma definitiva en que hubieren de celebrarse.

ARTÍCULOS TRANSITORIOS

Artículo 1.° A fin de llevar á cabo con la mayor rapidez posible y con la menor interrupción de los servicios la transición del sistema actual al que se crea por este decreto, el Gobernador general, cuando considere llegado el momento oportuno, previa consulta al Gobierno central, nombrará los Secretarios del Despacho á que se refiere el artículo 45, y con ellos conducirá el Gobierno interior de la Isla de Puerto Rico hasta la constitución de las Cámaras insulares. Los Secretarios nombrados cesarán en sus cargos al prestar el Gobernador general juramento ante las Cámaras insulares, procediendo el Gobernador acto continuo á sustituirlos con los que á su juicio representen de la manera más completa las mayorías de las Cámaras de Representantes y del Consejo de Administración.

Art. 2.° En el caso de que el Gobierno insular deseara destinar á otra clase de obras públicas los 250.000 pesos que para snbvenciones á ferrocarriles de vía estrecha se destinaron en la ley de 24 de agosto de 1896, propondría al Gobierno central lo que estimase oportuno.

Dado en Palacio á veinticinco de noviembre de mil ochocientos noventa y siete.

MARÍA CRISTINA

El Presidente del Consejo de Ministros,
Práxedes Mateo Sagasta.

SECCIÓN CENTRAL DE GOBIERNO Y ARCHIVO GENERAL

Elecciones.

El Excmo. Sr. Gobernador general, por decreto de este día, y en uso de la facultad que le concede el artículo 49 de la ley Municipal, se ha servido admitir la renuncia presentada por D. José Bango, del cargo de Alcalde municipal de Alfonso XII, y nombrar en su lugar, á D. Manuel Quevedo.

Lo que de orden de S. E. se publica en la GACETA DE LA HABANA, para general conocimiento.

Habana, 16 de diciembre de 1897.

El Secretario general,
José Congosto.

El Excmo. Sr. Gobernador general, por decreto de este día, y en uso de la facultad que le concede el artículo 49 de la ley Municipal, se ha servido admitir la renuncia presentada por D. Manuel Saralegui, del cargo de Alcalde municipal de Cuevitas, y nombrar en su lugar, á D. Ramón González Alvarez.

Lo que de orden de S. E. se publica en la GACETA DE LA HABANA para general conocimiento.

Habana, 16 de diciembre de 1897.

El Secretario general,
José Congosto.

El Excmo. Sr. Gobernador general, por decreto fecha de ayer, y en uso de la facultad que le concede el artículo 49 de la ley Municipal, se ha servido nombrar Alcalde municipal de Cabezas, á D. José Pacheco y González.

Lo que de orden de S. E. se publica en la GACETA DE LA HABANA para general conocimiento.

Habana, 15 de diciembre de 1897.

El Secretario general,
José Congosto.

El Excmo. Sr. Gobernador general, por decreto de este día, y en uso de la facultad que le concede el artículo 49 de la ley Municipal, se ha servido destituir del cargo de Alcalde municipal de Las Cruces, á don Juan Aparicio, y nombrar en su lugar, á D. José J. Macías.

Lo que de orden de S. E. se publica en la GACETA DE LA HABANA para general conocimiento.

Habana, 15 de diciembre de 1897.

El Secretario general,
José Congosto.

El Excmo. Sr. Gobernador general, por decreto de este día, y en uso de la facultad que le concede el artículo 49 de la ley Municipal, se ha servido admitir la renuncia presentada por D. José Massót Arnautó, del cargo de Alcalde municipal de Melena del Sur, y nombrar en su lugar, á D. José Salgado.

Lo que de orden de S. E. se publica en la GACETA DE LA HABANA para general conocimiento.

Habana, 15 de diciembre de 1897.

El Secretario general,
José Congosto.

El Excmo. Sr. Gobernador general, por decreto de este día, y en uso de la facultad que le concede el artículo 49 de la ley Municipal, se ha servido admitir la renuncia presentada por D. Gumersindo García Cuervo, del cargo de Alcalde municipal de Santiago de las Vegas, y nombrar en su lugar, á D. José Tina y Mauri.

Lo que de orden de S. E. se publica en la GACETA DE LA HABANA para general conocimiento.

Habana, 15 de diciembre de 1897.

El Secretario general,
José Congosto.

El Excmo. Sr. Gobernador general, por decreto de este día, y en uso de la facultad que le concede el artículo 49 de la ley Municipal, se ha servido disponer cese en el cargo de Alcalde municipal de Güira de Melena, el Capitán de la Guardia civil, D. Justo Pardo, y nombrar para que le sustituya, á D. Arístedes Pérez García.

Lo que de orden de S. E. se publica en la GACETA DE LA HABANA para general conocimiento.

Habana, 15 de diciembre de 1897.

El Secretario general,
José Congosto.

El Excmo. Sr. Gobernador general, por decreto fecha de ayer, y en uso de la facultad que le concede el artículo 49 de la ley Municipal, se ha servido destituir del cargo de Alcalde municipal de Yaguajay, á D. Francisco Fernández, y nombrar en su lugar, á D. Rafael S. Seigles.

Lo que de orden de S. E. se publica en la GACETA DE LA HABANA para general conocimiento.

Habana, 15 de diciembre de 1897.

El Secretario general,
José Congosto.

El Excmo. Sr. Gobernador general, por decreto de este día, y en uso de la facultad que le concede el artículo 49 de la ley Municipal, se ha servido admitir la renuncia presentada por el Alcalde municipal de San Juan de las Yeras, y nombrar en su lugar, á don Ricardo Pérez González.

Lo que de orden de S. E. se publica en la GACETA DE LA HABANA para general conocimiento.

Habana, 15 de diciembre de 1897.

El Secretario general,
José Congosto.

El Excmo. Sr. Gobernador general, por decreto de este día, y en uso de la facultad que le concede el artículo 49 de la ley Municipal, se ha servido nombrar, Alcalde municipal de Madruga, á D. Alberto Pozo y García.

Lo que de orden de S. E. se publica en la GACETA DE LA HABANA para general conocimiento.

Habana, 15 de diciembre de 1897.

El Secretario general,
José Congosto.

El Excmo. Sr. Gobernador general, por decreto de este día, y en uso de la facultad que le concede el artículo 49 de la ley Municipal, se ha servido admitir la renuncia presentada por D. Magdaleno San Román, del cargo de Alcalde municipal de Guanajayabo, y nombrar en su lugar, á D. José Maresma.

Lo que de orden de S. E. se publica en la GACETA DE LA HABANA para general conocimiento.

Habana, 16 de diciembre de 1897.

El Secretario general,
José Congosto.

Cárceles y Presidios.

Según sentencia dictada por la Sala de lo Criminal de la Audiencia de esta capital, ha sido condenado D. Juan Pérez García, por delito contra derechos individuales, á dos años y un día de suspensión en el cargo de sereno particular que desempeñaba, quedando inhabilitado para su ejercicio y para obtener otro de funciones análogas durante dicho tiempo, y al pago de una multa de 625 pesetas.

Lo que de orden del Excmo. Sr. Gobernador general, se publica en la GACETA DE LA HABANA para los efectos oportunos.

Habana, 16 de diciembre de 1897.

El Secretario general,
José Congosto.

Intendencia general de Hacienda.

Conforme el Excmo. Sr. Gobernador general con que las obligaciones del presupuesto ordinario de 1896 á 97, pendientes de pago en la actualidad, sean totalmente satisfechas antes del 31 del actual, á fin de que no reciban los acreedores del Tesoro el grave perjuicio de que pasen sus respectivos créditos á «Resultas» al terminar el semestre de ampliación del mencionado ejercicio, y para alejar asimismo el más remota recelo de que en ningún caso trate la Hacienda de eludir el cumplimiento de sus obligaciones; debiendo por otra parte las correspondientes á los meses de mayo y junio últimos abonarse en la forma dispuesta en el Decreto del Gobierno general de 4 del actual, y vistas las disposiciones pertinentes de la mencionada resolución; esta Intendencia ha decidido destinar quinientos mil pesos de la reserva metálica, constituida en el Banco Español para garantía de la actual emisión á la adquisición de billetes de la misma, bajo las condiciones siguientes:

1.ª Se admitirán proposiciones por la suma mínima de diez mil pesos cada una.

2.ª El Tesoro reembolsará el importe de los billetes que reciba en plata del cuño español.

3.ª Las proposiciones que se presenten lo serán en el día de pasado mañana, lunes 20 del actual, hasta las tres de la tarde, en el despacho de esta Intendencia, subscriptas por Comerciantes, Banqueros ó Importadores y con la intervención de Corredor titular, Notario comercial, debiendo tanto éste como el Banquero ó Importador justificar que se hallan al corriente en el pago de la Contribución industrial mediante la presentación de los recibos que acrediten haberse satisfecho el primer trimestre del actual ejercicio.

4.ª El Tesoro abonará un octavo por ciento en concepto de corretaje.

5.ª La Junta de Jefes se reserva el derecho de rechazar las proposiciones que no estime aceptables, y en caso de presentarse dos ó más iguales, se admitirán por orden de presentación.

Lo que se publica para general conocimiento.

Habana, 18 de diciembre de 1897.—El Intendente general, *Francisco Fontanals*

Por el Ministerio de Ultramar se comunica al Excmo. Sr. Gobernador general, con fecha 17 de noviembre último y bajo el número 2599, la Real orden siguiente:

«Excmo. Sr.:—El Rey (q. D. g.) y en su nombre la Reina Regente del Reino, ha tenido á bien declarar cesante, con el haber que por clasificación le corresponda, á D. Francisco Chacón y Montalvo, del destino de Jefe de Negociado de 2.ª clase de la Sección de Atrasos, de esa Isla.—De Real orden lo digo á V. E. para su conocimiento y demás efectos.»

Y puesto el cúmplase por S. E. con fecha 3 del corriente mes, de su orden se publica en la GACETA DE LA HABANA para general conocimiento.

Habana, 14 de diciembre de 1897. — *Francisco Fontanals.*

Administración especial de Loterías de la isla de Cuba.

Dentro del término de quince días, á contar desde el de la fecha, se servirán presentarse en esta Administración, á hora hábil, los Sres. D. Francisco Alvarez Robles y D. Juan Bautista Vermay, Colectores que han sido de esta Renta, á hacer efectivos los alcances que le han resultado en sus cuentas rendidas á la extinguida Administración general de loterías, con aquel carácter y deducidos por el Tribunal de las del Reino, en las de Tesoro de la propia oficina del mes de enero de 1878, en las que fueron refundidas aquéllas, ascendente el del primero, á la suma de 25 pesos billetes del Banco Español, hoy reducidos á 11 pesos 11 cts. oro., y el del segundo, á 50 pesos billetes del propio Banco, también reducidos á 22 pesos 52 cts. oro, con arreglo á lo preceptuado en la Real orden de 15 de septiembre de 1893; en la inteligencia, de que de no verificarlo por sí, ó por medio de personas que los representen, se continuará el procedimiento á su perjuicio.

Habana, diciembre 16 de 1897.—El Administrador especial, *José de Goicoechea.*

Por el Ministerio de Ultramar se comunica al Excmo. Sr. Gobernador general, con fecha 15 de noviembre próximo pasado, y bajo el número 2629, la Real orden siguiente:

«Excmo. Sr.:—S. M. el Rey (q. D. g.) y en su nombre la Reina Regente del Reino, se ha servido disponer que para el segundo trimestre del venidero año 1898, rija el adjunto plan de sorteos para la Real Lotería de esa Isla.—Lo que de Real orden comunico á V. E. para su conocimiento y demás efectos.»

Y puesto el cúmplase por S. E. con fecha 3 del corriente, se publica en la GACETA DE LA HABANA para general conocimiento.

Habana, 15 de diciembre de 1897.—El Administrador especial, *José de Goicoechea.*

Plan de sorteos para la Real Lotería de la isla de Cuba.

SEGUNDO TRIMESTRE DE 1898.

Durante los meses de abril, mayo y junio se celebrarán nueve sorteos, constando cada uno de 36000 billetes, á cinco pesos plata el entero, divididos en décimos á cincuenta centavos la fracción.

Número de los sorteos.	Fechas de la celebración.	Billetes de cada sorteo.	Precio del billete.	División del billete.	Precio de la fracción.	IMPORTE de los sorteos.
10	11 Abril... 1898	36000	$ 5	Décimos.	$ 0.50	180000
11	20 id. ... »	36000	» 5	id.	» 0.50	180000
12	31 id. ... »	36000	» 5	id.	» 0.50	180000
13	10 Mayo... »	36000	» 5	id.	» 0.50	180000
14	20 id. ... »	36000	» 5	id.	» 0.50	180000
15	30 id. ... »	36000	» 5	id.	» 0.50	180000
16	10 Junio... »	36000	» 5	id.	» 0.50	180000
17	20 id. ... »	36000	» 5	id.	» 0.50	180000
18	30 id. ... »	36000	» 5	id.	» 0.50	180000

Importan los 9 sorteos.....	1620000
75 por ciento de premios á jugadores.....	1215000
25 por ciento para la Hacienda.....	405000

INGRESOS GENERALES.

Art.	1.°	Venta de billetes.....	1620000
»	2.°	Billetes caducados.....	30000
»	3.°	Derechos de apartado.....	3000
»	4.°	Derechos de rifas.....	500
»	5.°	Multas y comisos.....	500
»	6.°	Fianzas de colectores.....	
		Total de ingresos.....	1654000

Artículos.	Gastos por minoración de ingresos.	Pesos.
1.°	Por el 75 por ciento de premios á jugadores.....	1215000
2.°	Por el 2 por ciento de premios de comisión de venta.....	32400
3.°	Por el 1 por ciento de premios de comisión de pagos.....	4000
4.°	Por gastos de impresión de billetes, actas notariales, envases y fletes.....	5000
5.°	Por el 50 por ciento del producto apartado para gratificar al personal de Loterías...	1500
6.°	Para dote de las niñas de la Real Casa de Beneficencia de la Habana, á 200 pesos por sorteos.....	1800
7.°	Para los niños de dicha casa de Beneficencia que cantan las bolas en los sorteos, á $ 12 idem.....	108
8.°	Para el Notario por su asistencia á los sorteos y demás actos del Ramo á $ 15 idem.....	135
9.°	Para los mozos que dan vueltas al globo en los sorteos á $ 6 idem....	54
10	Para tinta de las contraseñas de los billetes á $ 10 idem.....	90
11	Para sellos de franqueo de los pliegos certificados y hojas de adeudo á $ 20 idem.....	180
12	Para quebranto de monedas en la Caja de Loterías á $ 25 idem.....	225
13	Para material, gastos de escritorio, alumbrado y conservación del mobiliario y aparatos á $ 40 idem.....	360
14	Para gastos de visitas de inspección.	250
15	Por el 1 por mil de las utilidades líquidas para el Administrador especial de Loterías.....	388
16	Por devolución de billetes sobrantes.	.....
17	Por devolución de fianzas á Colectores	.....
18	Para sueldos del personal subalterno de la Administración Especial de Loterías por los meses de abril, mayo y junio de 1898.....	4650
	Total de gastos.....	1266140

Liquidación.

Importa el total ingresos.....	$	1654000
Importa el total gastos.....	„	1266140
Producto líquido del trimestre.....	$	387860

DISTRIBUCION DE PREMIOS.

Sorteos de 36,000 billetes, á 5 pesos.....	$	180000
25 por ciento para la Hacienda.....	„	45000
75 por ciento para premios.....	$	135000

Premios	Pesos plata
1 de.....	30000
1 de.....	10000
1 de.....	5000
1 de.....	2000
10 de á 500.....	5000
1020 de á 50.....	51000
299 aproximaciones á la centena del primer premio y á las anterior y posterior al mismo á $ 50	14950
99 íd. íd. del premio 2.° á $ 50...	4950
99 íd. íd. del íd. 3.° á $ 50.....	4950
99 íd. íd. del íd. 4.° á $ 50.....	4950
2 íd. para el número anterior y posterior al primer premio á $ 500.....	1000
2 íd. íd. del 2.° á $ 300.....	600
2 íd. íd. del 3.° á $ 200.....	400
2 íd. íd. del 4.° á $ 100.....	200
1638 premios. 4'55%	Pesos 135000

Madrid, 15 de noviembre de 1897.—Es copia.—El Director general de Hacienda, F. Laviña.—Hay una rúbrica.—Hay un sello que dice: "Dirección general de Hacienda, Ministerio de Ultramar."

Habana, diciembre 15 de 1897.—El Administrador especial, *José de Goicoechea*.

Real Audiencia Territorial de la Habana.

Secretaría de gobierno.

Hallándose vacante el Registro de lo propiedad de Holguín, de tercera clase, en el territorio de la Audiencia de Santiago de Cuba, y debiendo proveerse por oposición en esta capital, según lo acordado por la Sección de los Registros del Ministerio de Ultramar, con fecha 20 de noviembre último; el Excmo. Sr. Presidente de este Tribunal, por decreto de este día, ha dispuesto se publique la convocatoria en la Gaceta de la Habana, para que los aspirantes que deseen tomar parte en dichas oposiciones, presenten sus instancias documentadas en la Presidencia de esta Audiencia, en el término de sesenta días naturales, á contar desde el siguiente al de esta publicación, con sujeción á lo dispuesto en la regla 2.ª del artículo 307 del reglamento, para la ejecución de la ley Hipotecaria; haciendo presente, que los documentos indispensables para ser admitidos, son los comprendidos en los artículos 298 y 299 de la ley, y que los ejercicios se verificarán con sujeción al programa de preguntas y temas que para el primero y segundo ejercicio respectivamente se insertan en la *Gaceta de Madrid* de 3 de septiembre último.

Y en cumplimiento de lo mandado por el Excmo. Sr. Presidente de este Tribunal, se hace público por este medio para general conocimiento.

Habana, 16 de diciembre de 1897.—El Secretario de gobierno, *Manuel de J. Caramés*.

Real Academia de Ciencias Médicas, Físicas y Naturales de la Habana.

CONVOCATORIA.

En virtud de hallarse vacantes en esta Real Academia, dos plazas de socios numerarios de la Sección 1.ª de medicina, cirujía y veterinaria; cumpliendo lo acordado por la Corporación, se pone en conocimiento de los Sres. Doctores ó Licenciados en medicina y cirujía, que las vacantes anunciadas, serán provistas por elección en personas domiciliadas en esta ciudad, admitiéndose á este fin por la Junta de gobierno, durante los quince días siguientes á la convocatoria oficial en la Gaceta de la Habana, las propuestas que para Académicos se presenten por los miembros de la Corporación, ó las solicitudes documentadas de los aspirantes, las que podrán dirigirse desde esta fecha al Secretario que suscribe.

Habana y diciembre 15 de 1897.—El Secretario general, *M. Delfín*.

Escuela Profesional de la isla de Cuba

Secretaría.—Estudios libres.

El día 1.° de enero próximo, se abrirá la matrícula de estudios libres correspondiente á la primera convocatoria del año académico actual, que se cerrará el 10 del mismo, debiendo realizarse los exámenes correspondientes en la segunda quincena de dicho mes.

Para obtener dicha matrícula suscribirán los alumnos la instancia impresa que les facilitará la Secretaría, poniéndose un sello móvil de 35 centavos y abonarán además los derechos siguientes, por cada asignatura:

Mitad de los derechos de matrícula en papel de pagos al Estado por valor de 1 peso 25 cts.

Derechos de inscripción en efectivo, en id. id., 1 peso 25 cts.

Derechos académicos en efectivo en id. id., 2 pesos 50 cts.

Derechos de formación de expediente en id. id., 1 peso.

Dos sellos móviles de 5 cts., 10 cts.

Deberán asimismo presentar su cédula personal y tres testigos que sean vecinos de esta ciudad, para acreditar su identidad.

Lo que se publica para general conocimiento.

Habana, 13 de diciembre de 1897.—*Ldo. José García y Baylleres.*

ADMINISTRACION LOCAL.

Gobierno de la región Occidental y de la provincia de la Habana.

Orden público y policía.

D. Joaquín Vicens y Poch, Licenciado en Derecho, oficial de Administración civil y Fiscal nombrado en el juicio contradictorio que se expresa.

Hago saber que por disposición del Iltmo. Sr. Gobernador regional instruyo expediente con motivo de petición hecha á su autoridad por varios vecinos y contribuyentes del término municipal de Regla en solicitud de que se conceda el ingreso en la Real Orden civil de Beneficencia, á don José Cagigas y Haya, Alcalde municipal, al Dr. don Matías Alemán y Mauricio, al Dr. don Guillermo Oliva y Pantigas, á D. José Antié y Andreu, Secretario del Ayuntamiento, Dr. don Fernando Loredo y Domínges y don Aurelio Bretón y Quintero, oficial de la Secretaría de dicho Ayuntamiento, por los méritos contraídos durante la pasada epidemia variolosa.

Y á los efectos del reglamento de la expresada Orden de Beneficencia, convoco por este medio á todas las personas que tengan algo que exponer en pró ó en contra de la mencionada solicitud, para que se sirvan comparecer ante el Fiscal actuante en el término de 20 días, en el local que ocupa la Secretaría de este Gobierno regional, todos los días hábiles de 3 á 5 de la tarde, á fin de que declaren lo que sepan y se les ofrezca en el particular.

Habana 14 de diciembre de 1897.—Joaquín Vicens.—Ante mí, José Luis Presas.

Administración de Hacienda pública de la provincia de la Habana.

Negociado de Bienes del Estado.

Venciendo en el presente mes de diciembre los pagarés que se expresan en la relación siguiente, se anuncia por este medio á fin de que los señores otorgantes ó sus representantes legales concurran á hacerlos efectivos en esta Administración, dentro del plazo de los 15 días siguientes al de sus vencimientos; bien entendido, de que de no verificarlo, se procederá contra los mismos con sujeción á las disposiciones vigentes.

Habana, diciembre 6 de 1897.—El Administrador, P. S., *Ramón Montalvo*.

Relación que se cita.

OTORGANTES.	Concepto	Plazo.	Vencimiento.	Importe. Pesos.	Cts
D. Francisco Elosua	Censo...	40	10 dcbre. 1897	78	65
» Franc.° Romero.	Idem . .	89	13 » »	394	43

Negociado de Tesorería.

Habiendo sufrido extravío la carta de pago número 73, de 4 de agosto del corriente año, por la suma de 250 pesos en billetes, que ingresó D. José García Prendes, en representación de D. Gustavo Salomón y hermanos, en concepto de "Depósitos Forzosos," se anuncia al público durante tres días consecutivos, para que en el término de quince, á contar desde la inserción del último aviso, se entregue ó remita á esta Tesorería dicha carta de pago, á cuya oficina pueden también acudir en el plazo indicado, con las reclamaciones que respecto al particular estimen; en la inteligencia, que de no hacerlo, se declarará nula y sin ningún valor la repetida carta de pago y se expedirá el correspondiente certificado que habrá de sustituirla, con arreglo á lo prevenido en la circular de la Intendencia general de Hacienda, fecha 3 de agosto de 1894, é invitando por este medio á los demás periódicos para que se sirvan reproducir el presente aviso.

Habana, diciembre 15 de 1897.—El Administrador P. S., *Ramón Montalvo*.

Negociado de Censos y Derechos del Estado.

Por testamento y memoria adicional que otorgó doña Manuela Meireles, fueron dispuestas y fundadas tres capellanías ó memorias de misas de 6900 pesos cada una, y otra de 7357 pesos de principal; y en vista de lo ordenado y prescrito por la fundadora, la Administración de Hacienda instruyó y sigue expediente para esclarecer el derecho ó derechos que pueda tener y le corresponden al Estado, y cobrar y percibir lo que al mismo le pertenezca, ya por virtud de lo dispuesto en la fundación, ya conforme á las disposiciones relativas á las anualidades eclesiásticas en las vacantes, ya con arreglo á las desamortizadoras, administrativas y reglamentos del impuesto de derechos reales; y resultando de aquel expediente que no se han cumplido algunas de las condiciones y obligaciones que la fundadora ordenó; esta Administración acordó se haga saber á los Sres. poseedores de las fincas gravadas con capitales ó ramos de aquellas capellanías, cuyas fincas entre otras son las que se relacionan á continuación, se abstengan de pagar los réditos que adeuden, al que se titule Capellán, apoderado, colector ó cobrador, sin que les sean por éstos presentadas las cartas de pago ó documentos de esta oficina de Hacienda que justifiquen estar al corriente en el pago de las anualidades eclesiásticas en las respectivas vacantes; y el del impuesto de derechos reales por la transmisión del derecho al beneficio ó capellanía, y á disfrutar los bienes y los réditos de las imposiciones, según se advirtió para otras capellanías en la Gaceta de la Habana del día 15 y siguientes de julio del corriente año, y exhiban los justificantes de pago de las tres últimas anualidades de réditos que tengan satisfechas.

Relación que se cita.

Capitales á censo, impuestos á favor de D.ª Manuela Meireles y D. Bernardo Aguilar.—Fincas gravadas:

480 pesos, Acosta 97, María Martínez Viña.
1000 pesos, Habana 15, Francisco Eusebio de Silva.
630 pesos, ídem 123, José Lorenzo Castellanos.
500 pesos, Jesús María 23, Merced del Riesgo.
2100 pesos, Lamparilla 8, Dolores Lombillo y otros.
300 pesos, Merced 22, Rosalía de Ayala.
500 pesos, Oficios 72, Antonio Fernández Criado y otro.
357 pesos 90 cts., San Ignacio 13, Nicolás Domínguez.
1000 pesos, Santa Clara 37, Domingo Zanetti.
1000 pesos, Tejadillo 16, Casa de Beneficencia.
1000 pesos, Villegas 67, Ventura Obarrieta.
352 pesos 62 cts., sitio «Tres Palmas» en Tapaste, Pedro Herrera Huerta.
3000 pesos, potrero «Bachoni» en Santiago de las Vegas, María Rosario y José Otemira.
5900 pesos, ingenio demolido «San Antonio» en Guatao.
1000 pesos, potrero «Culebra».
1500 pesos, potrero «Doña María.»
500 pesos, ingenio «Tesoro.»
1000 pesos, ingenio «Volcano.»

Habana, 3 de diciembre de 1897.—El Administrador P. S., *Ramón Montalvo*.

Mr.

INDEX BUREAU
REC'D.
JAN 28 '98
DEPT. OF STATE

confirmed 1/27/98 E.

TELEGRAM RECEIVED. in Cipher

From Havana

January 22. 1898

Received 2:31 P. M.

Assistant Secretary
of State
Washington D C

None. Two German naval vessels are expected this month.

See

FB.

Copy.

INDEX BUREAU
RECD.
JAN 28 '98
DEPT. OF STATE

Habana,
January 22, 1898.

Form No. 15 U.S. STA

CABLE MESSAGE.

THE WESTERN UNION TELEGRAPH COMPANY.

INCORPORATED

All CABLE MESSAGES received for transmission must be written on the Message Blanks provided by this Company for that purpose, under and subject to the conditions printed thereon, and on the back hereof, which conditions have been agreed to by the sender of the following message.

JAN 24 8.50 AM 1898
CHF. CLKS. OFFICE
RECEIVED

THOS. T. ECKERT, President and General Manager.

TWO AMERICAN CABLES FROM NEW YORK TO GREAT BRITAIN.
CONNECTS ALSO WITH FIVE ANGLO-AMERICAN AND ONE DIRECT U. S. ATLANTIC CABLES.
DIRECT CABLE COMMUNICATION WITH GERMANY AND FRANCE.
CABLE CONNECTION WITH CUBA, WEST INDIES, MEXICO AND CENTRAL AND SOUTH AMERICA.
MESSAGES SENT TO, AND RECEIVED FROM, ALL PARTS OF THE WORLD.

OFFICES IN AMERICA:

All Offices (21,000) of the Western Union Telegraph Company and its Connections.

OFFICES IN GREAT BRITAIN:

LONDON:
No. 21 Royal Exchange, E. C.
No. 109 Fenchurch Street, E. C.

LIVERPOOL: No. 8 Rumford Street.
GLASGOW: No. 29 Gordon St. and No. 4 Waterloo St.
BRISTOL: Backhall Chambers.

RECEIVED at Washington DC Jny 22 1898 189

37 Z ST RC 28 U S GOVT HAVANA 28

JAN 22 Assistant Secretary State

Washington DC

Is not withholding U S papers at postoffice this city addressed to private individuals a violation of international postal treaty

Lee

444p

Confirmed by Tel. Jany. 25/98:

Copy.

No. 755.

DEPT. OF STATE
JAN 25, 12 01 PM 1898
CHF. CLKS. OFFICE

U. S. CONSULATE GENERAL.

HABANA, Jan. 22nd, 1898.

Mr. LEE

Ansd. Jany. 28/98.

to the

DEPARTMENT OF STATE.

Relief for destitute people in this Island.

ASSISTANT SECRETARY
JAN 27 1898
DEPARTMENT OF STATE.

Consular Bureau:

Acknowledge Lee's No.755 and inform him that so much thereof as related to character of supplies needed has been communicated to Chairman Central Cuban Relief Committee, New York City.

Dayl.

No. 755.

U. S. CONSULATE GENERAL.

HABANA, January 22nd,1898.

Hon.William R.Day,

Assistant Secretary of State,

Washington.

Sir:

I have the honor to report that I have had hauled from the custom house to the committee's warehouse the following articles,which do not include all brought by the steamer "Yucatan":

By Steamer "Vigilancia"	200	boxes peas.
	200	" corn
	200	" tomatoes.
	200	" barley
	100	" grits
	100	" milk
	2	" clothes
	1	" quinine
	200 1/2	barrels of flour
	1	package of clothes.
Total:	1204	
By steamer "Concho"		
	160	boxes milk
	25	barrels grits
	2	boxes effects.
	1	" "
	188	

No.

2.

U. S. CONSULATE GENERAL.

HABANA,

By steamer "Yucatan"

110	boxes	milk
9	"	effects
3		"
2		"
20		rice
20		crackers
164		

I would advise no more tomato sauce, oat meal or hominy be sent, but instead rice, lard, black and white beans, and the rest as per enclosed list already furnished.

I also desire to report that I have received a total in money from all sources of $5815.77 up to date, 21st January, - about a third of this money has been expended in purchasing supplies here. I shall be obliged to keep a portion of the money sent always on hand to meet the expenses of handling the goods and pay the transportation to the railroad stations, and on the railroads which convey these supplies to the interior towns.

I am, Sir, your obedient servant,

Fitzhugh Lee

Consul General.

Ack'd file

No. 756.

ASSISTANT SECRETARY
JAN 31 1898
DEPARTMENT OF STATE.

INDEX BUREAU
REC'D.
JAN 31 '98
DEPT. OF STATE

U. S. CONSULATE GENERAL.

HABANA, Jan. 22nd, 1898.

Mr. LEE

to the

DEPARTMENT OF STATE.

Cuban. by Spain.
Feby. 1, 1898.

Confirming telegrams.

2 COPIES MADE.
COPIED FOR CONGRESS.

No. 756.

U. S. CONSULATE GENERAL.

HABANA, January 22nd, 1898.

Hon. William R. Day,

Assistant Secretary of State,

Washington.

Sir:

I have the honor to acknowledge receipt of the following telegrams from you:

(1) "Washington, Jan. 17.

"Reported that custom house obstacles were thrown in "the way of landing supplies for Cuban sufferers from "steamer Vigilancia. Advise Department if there is "foundation for report. Prevent such delays if possible.

Day".

(2) (In cypher) "Washington, Jan. 22.

"Wire number and character naval vessels other coun- "tries now in the port of Habana.

Day"".

And I beg to confirm the following telegrams to you:

(1) "Habana, Jan. 15.

"All quiet

Lee".

(2) "Habana, Jan. 16.

"All quiet.

Lee".

(3) "Habana, Jan. 17.

"Supplies brought by Concho a week ago will be "delivered to-day, delayed by rules and the disturbances "of past few days. Think there will be no difficulty "hereafter. Vigilancia only arrived to-day. Matters "quiet.

Lee".

(4) "Habana, Jan. 18.

"All tranquil.

"Lee."

(5) "Habana, Jan. 18.

"Shipments filler tobacco: 1285 bales New York "Thursday. 959 bales New York Saturday. 350 Chicago "Saturday. 213 Tampa Saturday.

Lee".

(6) "Habana, Jan. 19.

"Decree November fourth last admitting free importa- "tion cattle into Cuba until January tenth has been "extended until March tenth 1898 under same conditions. "City quiet.

Lee".

No. 756.

U. S. CONSULATE GENERAL.

HABANA, Jan, 22nd, 1898.

---

(7) "Habana, Jan. 20th.

"Filler tobacco 58 bales Tampa. 14 bales Mobile "shipped yesterday.

Lee".

(8) "Habana, Jan. 21st.

"Tranquility prevails.

Lee".

(9) (In cypher) "Habana, Jan. 22nd.

"None. Two German naval vessels are expected this "month".

Lee".

(10) "Habana, Jan. 22nd.

"Is not withholding U.S. papers at Post Office this "city addressed to private individuals a violation of "International postal treaty?

Lee".

I am, Sir your obt. servant,

Fitzhugh Lee

Consul General.

Confirm of File

U.S. Consulate-General,
Habana, 24 January 1898.

INDEX BUREAU
REC'D.
JAN 25 '98
DEPT. OF STATE

Confirmed 1/27/98
E.

DEPT. OF STATE
JAN 25 9 30 AM 1898
CHIEFS. OFFICE

Form No. 1510.

CABLE MESSAGE.

THE WESTERN UNION TELEGRAPH COMPANY.

INCORPORATED

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GLASGOW: No. 29 Gordon St. and No. 4 Waterloo St.
BRISTOL: Backhall Chambers.

392 6 PR 13 Gvt

RECEIVED at 505 PM. Wąshn D.C. Jan 24-98 189

Havana,
Jan 24,
Secrtary W State. Washn.

U.S. News papers no longer withheld .

Lee.

(Form No. 218.)

INDEX BUREAU
REC'D.
JAN 28 '98
DEPT. OF STATE

TELEGRAM ~~SENT~~ Received in Cipher

Department of State,

Washington, Jan. 24, 1898.
6:15 P.M.

~~Havana,~~

Assistant Secretary of State,

Washington.

Jan. 24--Advise visit be postponed six or seven days to give last excitement more time to disappear. Will see authorities and let you know result. Governor General away for two weeks. I should know day and hour visit.

Lee.

Deciphered by C.C.

*Sent*_____, *189*_____*M.*

_____, *Operator.*

Affirm and file

DEPARTMENT OF STATE.

WASHINGTON

Asst. Secretary State Havana,
Washington, Jan 24 1898 4:15 pm.

Am informed that party is not related to person same name; has been without command for some time; sold cattle for Cuban General in Chief, and kept money. He there drove him from his command and he surrendered with twenty armed men. Remainder hundred and ten were peaceful. Governor General left for the East to-day. One German vessel in port, two others expected.

Lee

COPIED

TELEGRAM RECEIVED.

INDEX BUREAU REC'D. JAN 28 '98 DEPT. OF STATE

From Havana

Jany 24, 1898.

Received 4h 5m P.M.

Assistant Secretary State,

Washington.

Confirmed 1/27/98. E.

Am informed that Keely is not related to Senor Gomez
35329 42725 36475 46756 53149 43119 48507

name has been vouchsafed for Cuban Commander
40360 17066 56961 20773 30333 53091 50304

cable for Cuban Junior
19458 30333 23787 31383 in Chief and
34527 1996

Kept money he then drove his bonhis
37077 39812 33162 52670 27022 33400 31028

command and he surrendered with twenty- armed
20773 and 33162 51837 56902 53826 14207

men remainder hundred and ten were hacifico
39098 46868 33789 and 52456 56027 42402

Os Governor-General left for the East today one
31737 37652 30418 27316 53157 41798

Foreman tried in short two others Expected.
31455 43763 53846 42099 28942

Lee

wyr.

TELEGRAM RECEIVED.

INDEX BUREAU
REC'D.
JAN 28 '98
DEPT. OF STATE

confirmed 1/27/98 E. B. 17

From Havanna

Jan 25, 1898.

Received 2 05 PM.

Asst Secy State
Washington D.C.

Skips quietly arrived eleven
H9684 H5747 14416 27586
o'clock A.M. to-day no demonstration
20415 53157 40890 25010
so far.
50265.

Lee

TELEGRAM RECEIVED.

INDEX BUREAU REC'D. JAN 28 '98 DEPT. OF STATE

confirmed 1/27/98 E. X623

From Havana

Jany 25, 1898.

Received 1.4X P.M.

Assistant Secy State,

Washn, D.C.

Yesterday at an interview authorities profess to think
57328 36073 15842 44833 32851

United States has ulterior purpose in
54426 32735 53953 45447 in

sending ships; say it will obstruct
49303 49684 48690 56764 41438

autonomy, produce excitement and most probably
15896 44802 28726 and 44677

demonstration; ask that it is not done
25010 14803 that 36545 26827

until they get instructions from
54653 52785 31498 35697 31008

Madrid, and say that, if for friendly motives
38413 48691 33998 30976 40019

as claimed, delay unimportant.
as 20269 24834 54392

Lee

Copy.

Habana,
January 25. 1898.

INDEX BUREAU
REC'D.
FEB 9 '98
DEPT. OF STATE

Form No. 1516. **CABLE MESSAGE**

THE WESTERN UNION TELEGRAPH COMPANY.

INCORPORATED

DEPT. OF STATE
JAN 26, 9 02 AM 1898
CHF. CLKS. OFFICE
RECEIVED

All CABLE MESSAGES received for transmission must be written on the Message Blanks provided by this Company for that purpose, under and subject to the conditions printed thereon, and on the back hereof, which conditions have been agreed to by the sender of the following message.

THOS. T. ECKERT, President and General Manager.

TWO AMERICAN CABLES FROM NEW YORK TO GREAT BRITAIN.
CONNECTS ALSO WITH FIVE ANGLO-AMERICAN AND ONE DIRECT U. S. ATLANTIC CABLES.
DIRECT CABLE COMMUNICATION WITH GERMANY AND FRANCE.
CABLE CONNECTION WITH CUBA, WEST INDIES, MEXICO AND CENTRAL AND SOUTH AMERICA.
MESSAGES SENT TO, AND RECEIVED FROM, ALL PARTS OF THE WORLD.

OFFICES IN AMERICA:

All Offices (21,000) of the Western Union Telegraph Company and its Connections.

OFFICES IN GREAT BRITAIN:

LONDON: No. 21 Royal Exchange, E. C. No. 109 Fenchurch Street, E. C.
LIVERPOOL: No. 8 Rumford Street.
GLASGOW: No. 29 Gordon St. and No. 4 Waterloo St.
BRISTOL: Backhall Chambers.

352 OC PR 38 GVT

RECEIVED at 5:30 P.M. Washington D.C. Jan. 25/98.

189

Havana,
January 25--- 430 PM. Assistant Secretary State,
Washington.

Have just received visit of Commander of Maine and will return it tomorrow He had already returned official visits of Spanish and other Naval Officers No disorders of any sort.

Lee.

INDEX BUREAU
REC'D.
JAN 28 '98
DEPT. OF STATE

1

33

TELEGRAM RECEIVED.

3 PM

From Havana (confirmed 1/27/98 E)

Jany 25, 1898.

Received 2 4 P M.

Day

Washington.

Commanders of Spanish Naval
Ships and of German training
ships have called upon Commander
of Maine and their visits will
be returned this afternoon
Salutes exchanged all quiet

Lee

ack & file

No. 757.

ASSISTANT SECRETARY
FEB 5 1898
DEPARTMENT OF STATE.

U. S. CONSULATE GENERAL.

INDEX BUREAU
REC'D.
FEB 3 '98
DEPT. OF STATE

HABANA,

Jan.25th,1898.

Received by Telegraph Feby. 8/98.

Mr.LEE

to the

DEPARTMENT OF STATE.

RELIEF.

No. 757.

U. S. CONSULATE GENERAL.

HABANA, January 25th, 1898.

Hon. William R. Day,

Assistant Secretary of State,

Washington.

Sir:

Replying to your despatch 519 of the 12th instant I have the honor to say that I could not succeed in rescuing the packages containing clothing, groceries etc. for the Convent of the Sacred Heart, under the customs regulations; when the duties were not paid upon them they were put up to be sold. An agent of the Convent was present, but was only authorized to bid for them the sum of $135, but others present have bid a larger amount and secured the articles in question. It will be remembered that these articles arrived prior to the agreement that such things should enter this port free of duties.

I am, Sir, your obedient servant,

Fitzhugh Lee

Consul General.

all.

CONSULATE-GENERAL OF THE UNITED STATES
OF AMERICA.

Jan 26. 1898
Wed- morning-

My dear Judge

I have only time to say that the Maine, (as my despatches of yesterday indicated) came gliding into the harbor as easily & smoothly as possible yesterday about 11 a. m-

It was a beautiful & light & one long to be remembered. The Americans here (by their presence) the Americans here- I think you will remember that some little time ago I suggested that about the time the German ships were coming would be a good time to let one or two of our vessels steam into this harbor. That I did not anticipate trouble in consequence-

The authorities here seem to be excited about any such move, & so emphatic in predicting excitement & demonstration

CONSULATE-GENERAL OF THE UNITED STATES
OF AMERICA.

that I came to the conclusion - to make
the matter safe - that more than one ship
should visit this Port - when such a move
was thought necessary. For friendly with us
of course one would be better but this has
all worked out very nicely so far -
The Palace authorities alone seem baffled
& I had quite a time with Congreve to
when I announced the Maine was surely
coming - In an excited way - he said
it was time the Spanish fleet should be
sent here &c. &c. Switching off on many side
tracks - but I pulled him back on the
main line & told him all such expressions
were out of place now - that it was the purpose
of my Government to send the ship here -
& the only question was - what were the authorities
going to do about it? Could me to prevent
peace or precipitate the crisis -
I left them in a very disturbed condition
& with the idea that "autonomy" had
caused a severe blow - So that I

CONSULATE-GENERAL OF THE UNITED STATES
OF AMERICA.

did not & fly - because I could not
see how autonomy was affected one
way or the other -
The truth is that the Government is
very weak - surrounded on all sides
by enemies - while trying to do what
they were sent here to accomplish -
Sir Robert the Maine Commander in
paying his official visit to me
yesterday landed from his ship - took
an open Cab - & in full uniform
drove by himself to the Consulate
office - He aroused attention
Nothing more - & returned his visit
to-day - & am so happy that we have
reached & quietly crossed over the bridge
which for a long time we have been in front of.

Yours sincerely
Fitzhugh Lee

Let to Judge Clay

Jan. 26

Habana,

January 26. 1898.

INDEX BUREAU
REC'D.
FEB 9 '98
DEPT. OF STATE

INDEX BUREAU
REC'D.
FEB 1 '98
DEPT. OF STATE

Index & Confirm and File

CABLE MESSAGE.

WESTERN UNION TELEGRAPH COMPANY.

INCORPORATED

CABLE MESSAGES received for transmission must be written on the Message Blanks provided by this Company for that purpose, under and subject to the conditions printed or written on the back hereof, which conditions have been agreed to by the sender of the following message.

THOS. T. ECKERT, President and General Manager.

OFFICE
ED

TWO AMERICAN CABLES FROM NEW YORK TO GREAT BRITAIN.
TS ALSO WITH FIVE ANGLO-AMERICAN AND ONE DIRECT U. S. ATLANTIC CABLES.
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GLASGOW: No. 29 Cordon St. and No. 4 Waterloo St.
BRISTOL: Backhall Chambers.

KN. PR. Gvt 16

CEIVED at 705 P.M. Washington D.C. Jan 26-98

189

na,

Jan 26--430.

Assistant Secretary State
Washington. D.C.

just had pleasant visit on Maine.

Lee.

Confirmed by form Feby 1st 98.

Habana,
January 26. 1898.

INDEX BUREAU
REC'D.
JAN 28'98
DEPT. OF STATE

To the Press

Form No. 1516. **CABLE MESSAGE.**

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INCORPORATED

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THOS. T. ECKERT, President and General Manager.

DEPT. OF STATE
JAN 26, 5.02 PM 1898
CHF. CLKS. OFFICE
RECEIVED

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OFFICES IN AMERICA:

456

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BRISTOL: Backhall Chambers.

RECEIVED at Washington.D.C. Jan 26th 1898 189

Error

40Z GU WS 24 U S Govt Havana

Jan 26 Asst Secy State Wash'n DC

Filler tobacco 2426 bales NewYork 124 NewHaven 85 Baltimore by Seguranca by Olivette today 66 Tampa

Lee
440PM

Given to Press

Dept.

5 Me

20 Hz Good

TELEGRAM RECEIVED.

DEPT. OF STATE

JAN 26, 12 45 PM 1898

CHF. CLKS. OFFICE

RECEIVED

INDEX BUREAU REC'D. FEB 9 '98 DEPT. OF STATE

From Havana

Jany 26, 1898.

Asst Secy of State,

Received 12.50 P.M.

Washn, D.C.

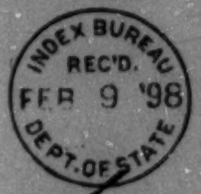
Another German Naval Vessel arrived this morning Peace and quiet reign

Lee

Dom. 7 Mr

TELEGRAM RECEIVED.

135 Us



From Havana

Jany 27, 1898.

Received 2 54 P M.

Asst Secy State,

Washington

Just visited General Parrado acting Governor General with Dejsbee and two of his officers We were most cordially received and Parrado returns visit by going aboard Maine tomorrow

Lee

Confirmed Feby. 17, 1898.

INDEX BUREAU REC'D. JAN 28 '98 DEPT. OF STATE

INDEX BUREAU REC'D. JAN 28 '98 DEPT. OF STATE

TELEGRAM RECEIVED.

From Havana

January 28, 1898.

Received 10:30 A.M.

Asst Secretary State
Washington

Nestor Aranguren, while visiting woman yesterday noon near Tapaste, was betrayed, surrounded by Spanish troops and killed; body brought here yesterday evening. Woman wounded.

Lee

Deciphered 11.45 Am.
by King.

TELEGRAM RECEIVED.

INDEX BUREAU
REC'D.
JAN 28 '98
DEPT. OF STATE

From Havana

Jany 28, 1898

Asst Sec State

Received 10-30 A M.

Washington.

Nelson Aranguren, while visiting
woman yesterday noon near
Zapasle; was betrayed, surrounded
by Spanish troops and killed;
body brought here yesterday
Evening. Woman wounded.

Lee

Copy.

7

TELEGRAM RECEIVED. in Cipher

INDEX BUREAU
REC'D.
FEB 9 '98
DEPT. OF STATE

From Havana

January 28, 1898.

Received 3:36 P. M.

Ass't Secy State
Washington

Am informed that insurgent Chief left camp to visit ladies in neighborhood. Negro there informed Spanish Commander in Chief. Cabin surrounded by three columns troops and squadron Cavalry. The proposition to take him alive was rejected and fire opened on cabin, killing him and wounding young woman and her mother and killing her child. Young woman died since. His body here with two bullet wounds and three sword cuts.

Lee

Copy.

Habana,
January 28. 1898.

INDEX BUREAU
REC'D.
FEB 9 '98
DEPT. OF STATE

J.C.

434 PM

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BRISTOL: Backhall Chambers.

RECEIVED at Washington.D.C. Jan 28th 1898 189

81Z 0C WS 75 U S Govt Havana

January 28 Assistant Secretary State Wash'n (DC)

Relief committees should have agent here to receive verify and transfer supplies to local committee who will be in communication with them and keep them informed that all articles Sent have safely arrived and give them such information as necessary about what is wanted agent should be one good man who can go in and out customhouse warehouses on board steamers and other places where women cannot go

Lee
410PM

Copy.

3 M

46 Gr

TELEGRAM RECEIVED.

INDEX BUREAU
REC'D.
FEB 9 '98
DEPT. OF STATE

From Havana

Jany 28, 1898.

Received 2.25 P. M.

Asst Secy. State,

Washington.

Acting Governor Captain General Parrado and staff went with me this morning to return visit of Sejobee inspected the Maine were entertained and given the appropriate salute expressed pleasure at their reception and admiration for the splendid battleship

Lee

Mr. Chilton

ask & enter to Prest

Copy.

No. 7 5 8.

RECEIVED
FEB 1 1898
SECRETARY
DEPARTMENT OF STATE.

U. S. CONSULATE GENERAL.

INDEX BUREAU
REC'D.
FEB 15 '98
DEPT. OF STATE

HABANA, January 28th, 1898.

Mr. LEE

Ackd. by form
& copies to the Prest.
Feby. 4/98.

to the

Department of State.

---------o----------

Transmitting translation from A Madrid newspaper.

---------o----------

Nov 5 8.

U. S. CONSULATE GENERAL.

HABANA, January 26th, 1898.

Hon: WILLIAM R. DAY,

Assistant Secretary of State.

Washington. D. C

Sir:

I have the honor to transmit herewith a translation of an article taken from a Madrid newpaper, "El Nuevo Regimen."

I am, Sir,

Your obedient servant,

Fitzhugh Lee

Consul General.

Enclosure.

Translation.

Enclosure No.1.

With Despatch No.7 5 8.

HABANA, Jany 28th,1898. TRANSLATION.

EL NUEVO REGIMEN. (A newspaper published at Madrid by the eminent and well known Spanish Republican Don FRANCISCO PI y MARGAL) Madrid,25th December,1897.

CRANE'S

RUIZ and ARANGUREN.

The insurrection of Cuba is not disposed to lay down their arms. They desire independence,not autonomy. They have so declared it in New York after becoming acquainted,through a long telegram,with the Constitution written here by the Government. They will make no ~~transaction~~ compromise,because resolved not to make any ~~transaction~~ such they took the field,- they do not trust us,they remember the many grievances received,and they consider as a grievance the fact that we have not addressed ourselves to their leaders.

Their general,Maximo Gomez,has not ~~circumscribed~~ limited himself to reject autonomy;he has decreed the death penalty against any one proposing transactions and against any one who enters into any transaction. A lieutenant colonel of our arms,Don Joaquin Ruiz, following the most generous sentiments,had the unlucky idea of going dressed in uniform to Aranguren's camp, with whom he held friendly relations. Having met in Aranguren a most affectionate welcome,he took the liberty of making a speech to the rebels,praising the importance of the concessions made by the metropolis and inducing them to surrender. Voices of protest were then heard and shouts ~~xxxxxing~~ demanding that Gomez' proclamation be complied with. Aranguren did not wish to comply with it; but Ruiz was submitted to a court martial by order of another insurgent chief ofsuperior rank who happened to arrive at the moment,Alejandro Rodriguez. Ruiz was condemned to death and was shot.

The event is most lamentable, so much so, that it would be sufficient to make us hate war if we had not other reasons to hate it with all our heart. It is, nevertheless, if considered in an impartial manner, a logical consequence of an act admitted in war and even authorized by almost every penal law of the world. Whoever agrees to pass over to the enemy is considered a traitor everywhere, and whoever attempts to seduce troops to do so is likewise considered guilty of treason; and there was in this case the special circumstance of there being a proclamation (bando) ordering that persons of guilty of such an act should be held as traitors and punished accordingly.

Does Maximo Gomez deserve censure for his decree? He issued it to maintain the discipline of his army, to avoid all kinds of ambushes or plots and in order to convince us that he will not sheath his sword until the ~~xxxxxx~~ independence of the island is ~~not~~ recognized; and he has done nothing more than what would have been done in a similar case by any other general in chief determined to maintain war. "Whoever speaks of capitulation or of surrender will be shot", said general Don Mariano Alvarez de Castro in 1808 at the commencement of the siege of Gerona; and when the city had resisted terrible assaults and was extenuated by famine, he added: "let the troops guarding the first positions know that those occupying the second positions have orders to fire on any one, spaniard or french, coming towards them". There were at the time certain persons in the army of Gerona, who, considering all resistance useless, desired to capitulate: the general thus stopped all attempts to surrender.

It now happens what we have foretold: autonomy will not unarm the insurgents. What is it to be done, then? In our opinion, negotiate under the basis of independence. To avoid the loss of our colony, we have done what no other nation has done to retain her colonies; to repeat the sacrifices would be

as impossible as ~~ixxxxxx~~ inhuman. How many times has Cuba taken arms to shake off our yoke! What tenacity has she not shown in her long wars! What enthusiasm and ardor does she not feel now to see her banners hoisted throught the island! Her sisters, the Eastern nations, obtained their independence without so much bloodshed nor so much gold expended; why shall we, to the detriment of our population and of our fortune, ~~xxxxx~~ refuse to give her what she wants, we, who are proud of the glory of having launched from our territory all our invaders, even those who had dominated us for centuries?

The love of independence is so natural to all country, as it is to the individual the love of liberty. Let us conform ourselves to the laws of nature, and all hearts lovers of peace and respectfuly of the dignity of man will bless us. Can it be possible that we, who have been so despotic with all conquered people, do not wish to hear for once the voice of reason and of justice?

----------o---------

DEPT. OF STATE
FEB -1, 3.23 PM 1933
CHF. CLKS. OFFICE
RECEIVED

No. 759.

U. S. CONSULATE GENERAL.

HABANA, January 28th, 1898.

Mr. LEE

Cuba Feby. 14/98.

to the

Department of State.

---o---

Arrival of U.S.S." MAINE".

---o---

ASSISTANT SECRETARY
FEB 3 1898
DEPARTMENT OF STATE.

Consular Bureau:

Acknowledge to General Lee his No. 759 and suggest that he has made a mistake in stating that "Maine" arrived on 24th -- should have been 25th.

Day

No. 59.

U. S. CONSULATE GENERAL.

HABANA, January 28th, 1898.

Hon: WILLIAM R. DAY,

Assistant Secretary of State.

Washington. D. C.

Sir:

Confirmatory of my recent telegrams, I have the honor to report the arrival at this port from Key West, on the ~~25th~~ 25th * instant of the U.S. battleship "MAINE", Captain C.D. SIGSBEE, Commanding.

I am, Sir,

Your obedient servant,

Consul General.

* See No. 770 from Habana.

Desp.

No. 7 6 0.

Ack & File

U. S. CONSULATE GENERAL.

HABANA, January 28th, 1898.

ASSISTANT SECRETARY OF STATE
FEB 8 - 1898
DEPARTMENT OF STATE
RECEIVED.
FILE

Mr. LEE

to the

Department of State.

Advising having drawn on Hon: Secretary of State for five thousand dollars, for Cuban relief fund.

---o---

No. 760.

U. S. CONSULATE GENERAL.

HABANA, January 28th, 1898.

Hon: WILLIAM R. DAY,
Assistant Secretary of State.
Washington. D. C.

Sir:

In conformity with the Honorable Secretary of State's telegraphic instruction dated yesterday, authorizing me to draw for five thousand dollars, for Cuban relief fund, I have the honor to inform the Department that under the same date, January 27th, I have drawn upon the Honorable Secretary of State, two drafts, each for two thousand five hundred dollars, U.S. the proceeds of which in Spanish gold at 8 and 8 1/4 % premium of exchange, I deposited at the respective bankers to whom the drafts were sold: viz: $2,500. at 8 % P. sold to

Messrs HIDALGO & CO, ---------- $ 2,700. span: gold
" G. LAWTON CHILDS & CO, at 8 1/4% " 2,706.25 " "

I am, Sir,

Your obedient servant,

Consul General.

No.761.

U. S. CONSULATE GENERAL.

HABANA, Jan.29th,1898.

INDEX BUREAU
FEB 3 '98
DEPT. OF STATE

Mr.LEE

to the

DEPARTMENT OF STATE.

---------o---------

Confirming telegrams.

No. 761.

U. S. CONSULATE GENERAL.

HABANA, January 29th, 1898.

Hon. William R. Day,

Assistant Secretary of State,

Washington, D.C.

Sir:

I have the honor to acknowledge receipt of the following telegrams from the Department of State:

(1) (In cypher) "Washington, Jan. 24

"Wire facts as to recent reported surrender of Masso "and insurgent force.

"Day.

(2) (In cypher) "Washington, Jan. 24.

"Treaty reserves right to each government to pres- "cribe by laws, ordinances or decrees, the conditions of "publication and the circulation papers; and to refuse to convey or deliver papers in conflict therewith.

"Sherman.

(3) (In cypher) "Washington, Jan. 24.

"It is the purpose of this government to resume "friendly naval visits at Cuban ports. In that view the MAINE will call at the port of Habana in a day or two. please arrange for a friendly interchange of calls with authorities.

"Day.

(4) (In cypher) "Washington, Jan. 25. (24 ?)

"Maine has been ordered, will probably arrive at Havana sometime to-morrow. Cannot tell hour, possibly early, cooperate with authorities for her friendly visit. Keep us advised by frequent telegrams.

"Day.

(5) "Washington, Jan. 28.

"Barton, chairman of Cuban Relief Committee, wires that you ask for help in receiving and distributing supplies. Miss Clara Barton, of Red Cross, with competent assistants, is willing to go to Havana at once and act under your direction and supervision, thus relieving you of much detail work. Department strongly approves this course; unless more are needed she will bring but one assistant . Answer, giving your views and number of persons needed.

"Day.

I also have the honor to confirm the following telegrams to the Department:

No. 2.

U. S. CONSULATE GENERAL.

HABANA,

---

(1) (In cypher) "Habana ~~---~~ Jan,24.

"Am informed that party is not related to person same name. Has been without command for some time. Sold cattle for Cuban general in chief and kept money. He then drove him from his command, and he surrendered with twenty armed men, remainder hundred and ten were pacifieds. Blanco left for the east to-day. One German war vessel in port. Two others expected.

"Lee.

(2) "Habana, Jan, 24 ~~-24-~~

"U.S.newspapers no longer withheld.

"Lee.

(3) (In cypher) "Habana, Jan.25.

"At an interview, authorities profess to think U.S. has ulterior purpose in sending ship. Say it will obstruct autonomy, produce excitement and most probably a demonstration. Ask that it is not done until they can get instructions from Madrid and say that if for friendly motives, as claimed, delay unimportant.

"Lee.

(4) (In cypher) "Habana, Jan.25.

"Ship quietly arrived 11 a.m. to-day. No demonstration so far? "

"Lee.

(5) "Habana, Jan.25.

"Commanders of Spanish naval ships and of German training ship have called upon Commander of Maine and their visits will be returned afternoon. Salutes exchanged. All quiet.

"Lee.

(6) "Habana, Jan.25.

"Have just received visit of Commander of Maine and will return it to-morrow. He had already returned official visits of Spanish and other naval officers. No disorders of any sort.

"Lee.

(7) "Habana, Jan.26.

"Another German naval vessel arrived this morning. Peace and quiet reign.

"Lee.

(8) "Habana, Jan.26

"Filler tobacco 2426 bales New York, 124 New Orleans, 85 Baltimore, by Seguranca. By Olivette to-day 66 Tampa.

"Lee.

No.

3.

U. S. CONSULATE GENERAL.

HABANA,

---

(9) "Habana, Jan. 26.
"Have just had pleasant visit on Maine.
"Lee.

(10) "Habana, Jan. 27.
Just visited General Parrado, acting Governor general, "with Sigsbee and two of his officers. We were most cordially received and Parrado returns visit by going aboard Maine to-morrow.
"Lee.

(11) (In cypher) "Habana, Jan. 28.
"Nestor Aranguren while visiting a woman yesterday noon, near Tapaste, was betrayed, surrounded by Spanish troops, killed and body brought here yesterday evening. Woman was wounded.
"Lee".

(12) "Habana, Jan. 28.
"Acting Governor General Parrado and staff went with me this morning to return visit of Sigsbee. Inspected the Maine, were entertained and given the appropriate salute. Expressed pleasure at their reception and admiration for the splendid battle ship.
"Lee.

(13) (In cypher) "Habana, Jan. 28.
I am informed insurgent chief xx left camp to visit ladies in neighborhood, negro there, informed Spanish Commander. Cabin was surrounded by three columns troops and squadron cavalry. The proposition to take him alive rejected, and fire was opened on cabin, killing him, wounding the young woman and her mother and killing her child. Young woman died since. His body here with 2 bullet wounds and 3 sword cuts.
"Lee.

(14) "Habana, Jan. 28.
Relief committees should have agent here to receive, verify and trasnfer supplies to local Committee, who will be in communication with them and keep them informed that all articles sent have safely arrived and give them such information as necessary about what is wanted. Agent should be one good man who can go in and out customhouse, warehouses, on board steamers, and other places where women cannot go.
"Lee.

I am, Sir, your obedient servant,

Fitzhugh Lee

Consul General.

Copy.

INDEX BUREAU
REC'D.
JAN 31 '98
DEPT. OF STATE

3rd. ASST. SECRETARY.
JAN 31 1898

Habana, Cuba.
January 31. 1898.

Form No. 1516.

CABLE MESSAGE.

THE WESTERN UNION TELEGRAPH COMPANY.

INCORPORATED

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BRISTOL: Backhall Chambers.

RECEIVED at Washington.D.C. Jan 31st 1898 189

44Z A WS 25 U S Govt Havana

January 31st Assistant Secretary State Wash'n (DC)

Colonel Ruiz body brought here and buried today Aranguren buried last Friday both rest same cemetery all well

Lee

3rd. ASST. SECRETARY.
420PM
JAN 31 1898